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SAN FRANCISCO
BOARD OF SUPERVISORS

HOUSING & LAND USE COMMITTEE

This Committee issued a "Calendar" for each meeting, which constituted the Agenda for the meeting. The Calendar had a blank line at the end of each agenda item for "Action".

The decisions taken at the meeting on each Calendar item were entered on the "Action" lines of the Calendar. The Calendar was then referred to as the "Action Calendar" or "Marked Calendar", and constituted the Minutes for the meeting.

Note that the Agendas and the Minutes are both captioned "Calendar". They differ in that the Minutes describe the action taken on each Calendar item.

This volume includes the available Minutes of this Committee's meetings. The Agenda is included only if the Minutes are missing.

The Budget Analyst prepared memoranda for many of this Committee's meetings. The memo for each meeting is inserted in this volume *in front of* the Minutes for that meeting. If the Minutes of a meeting are missing, the Budget Analyst memo is inserted *after* the Agenda for that meeting.

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February 2, 1993

TO: Housing and Land Use Committee

FROM: Budget Analyst Recommendations

SUBJECT: February 4, 1993 Housing and Land Use Committee Meeting

Item 4 - File 55-92-1

1. The proposed resolution would urge the California Department of Transportation (Caltrans) to expedite inclusion of a rebuilding of Doyle Drive in the next State transportation funding cycle and to promptly conduct tests of Doyle Drive traffic flows and their impact on present traffic patterns, as recommended by the Doyle Drive Task Force.

2. According to the California Department of Transportation, Doyle Drive is deteriorating as a result of internal rusting of the steel reinforcement in the concrete and the concrete itself is crumbling. Therefore, Caltrans has determined that Doyle Drive is nearing the end of its useful life and must be replaced.

3. In October, 1991, the Board of Supervisors created the Doyle Drive Task Force (Resolution No. 900-91) to investigate conditions on Doyle Drive and to evaluate alternative replacements for Doyle Drive. The Doyle Drive Task Force was directed to submit a report to the Board of Supervisors to include 1) information on Doyle Drive's current traffic conditions, 2) an analysis of the projected short and long-term changes in those conditions and 3) recommendations to improve the safety of the roadway.

4. The 18-member Doyle Drive Task Force includes representatives from the Golden Gate Bridge Highway and Transportation District, the Presidio of San Francisco, the San Francisco Chamber of Commerce, the Golden Gate National Recreation Area, the San Francisco Planning and Urban Research Association, the Sierra Club, City Departments (Police, Public Works, Planning and Parking and Traffic) as well as individuals from the neighborhoods and representatives from neighborhood organizations.

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5. Currently, Doyle Drive consists of six lanes with moveable pylons that are positioned between the lanes in order to designate four lanes for Southbound traffic during the peak morning commute hours and four lanes for Northbound traffic during the peak evening commute hours, leaving two lanes for opposing traffic. Golden Gate Bridge at the Northern end of Doyle Drive handles approximately 127,000 vehicles daily. During morning commute hours, Doyle Drive handles approximately 6,700 vehicles per hour and during evening commute hours, Doyle Drive handles approximately 6,100 vehicles per hour. The National Park Service estimates that Presidio-related use of Doyle Drive will increase from approximately 6,000 vehicles per day in 1992 to approximately 16,000 vehicles per day by the year 2010.

6. Caltrans has proposed that the replacement for Doyle Drive be either an eight lane road or a six lane road with no intracity connections to Route 1. The Doyle Drive Task Force draft report (the final report has not been printed as of the writing of this report) recommends six lanes with the intracity connections and also includes the following recommendations:

- Widen traffic lanes, add shoulders and a fixed median barrier.
- Provide three traffic lanes in each direction, for a total of six lanes.
- Engineer entrance and exit ramps for safer merging movements.
- Maintain the 45 mile per hour speed limit.
- Engineer connecting ramps for speeds compatible with the parkway's posted speed limit.
- Locate and design entrance and exit ramps to minimize neighborhood impacts.
- Provide an interchange so that Doyle Drive traffic can enter the Presidio directly, instead of traveling through surrounding neighborhoods.
- Support the design concept of a scenic parkway, providing a view of the Golden gate Bridge areas.
- Give the Eastern ends of Doyle Drive the character of the City streets.
- Realign the Richardson Ave. ramps to Gorgas St., to restore open space near the Palace of Fine Arts, and to move the roadway away from nearby private residences.
- Realign the Marina Blvd. ramps.

- Use tunnels to reduce traffic noise, restore parkland, and reconnect the Presidio Main Post and Crissy Field.

- Provide pedestrian overlooks with spectacular vistas.

Comments

1. According to the draft report, Caltrans states that if the City does not select one of the Caltrans proposals, Caltrans will either not fund the replacement roadway or will build the six-lane project without intracity connections.

2. The Doyle Drive Task force draft report does not specify the cost or the source of funds for the proposed recommendations. The Doyle Drive Task Force draft report notes that Caltrans requires approximately six months to prepare a Project Study Report, which is the first step in getting a project funded with State and Federal monies. The deadline for projects to be included in the 1994 State Transportation Improvement Program and Federal Transportation Improvement Program is July 1, 1993. The draft report indicates that if the July 1, 1993 deadline is missed, the next such deadline to obtain State and Federal funding for replacement of Doyle Drive will be in two years.

Recommendation

Approval of the proposed resolution is a policy matter for the Board of Supervisors.

Harvey M. Rose

cc: Supervisor Achtenberg
Supervisor Maher
Supervisor Migden
President Alioto
Supervisor Bierman
Supervisor Conroy
Supervisor Hallinan
Supervisor Hsieh
Supervisor Kaufman
Supervisor Kennedy
Supervisor Shelley
Clerk of the Board
Chief Administrative Officer
Controller
Jean Mariani
Barbara Kolesar
Ted Lakey

BOARD OF SUPERVISORS
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CALENDAR -Actions Taken
REGULAR MEETING
HOUSING AND LAND USE COMMITTEE
BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

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THURSDAY, February 4, 1993 - 10:00 a.m. ROOM 228, CITY HALL

Members: Supervisors Achtenberg, Maher, Migden

Clerk: Joni Blanchard

CONSENT CALENDAR

1. All matters listed hereunder constitute a Consent Calendar, are considered to be routine by the Housing and Land Use Committee, and will be acted upon by a single roll call vote of the Committee. There will be no separate discussion of these items unless a member of the Committee or a member of the public so requests, in which event the matter shall be removed from the Consent Calendar and considered as a separate item:

   a. File 18-92-15. [Stop Intersections] Recommending establishment of stop signs at Bessie and Manchester Streets, northeast, southeast, and southwest corners, stopping all approaches (makes this an all-way stop); DPT Order No. 347. (Department of Parking and Traffic)

   b. File 19-92-17. [Carpool Permit Parking] Resolution establishing a Carpool Permit Parking Program on Vermont Street in the vicinity of San Francisco General Hospital. (Department of Parking and Traffic)

   c. File 19-93-1. [Parking Regulations] Recommending establishment and extension of parking regulations at various locations; DPT Order No. 367. (Department of Parking and Traffic)

      PARKING METER AREA 3 (1-HOUR LIMIT, 9 A.M. to 6 P.M., MONDAY - SATURDAY) - EXTEND.

      Harrison Street, south side, between 10th and 11th Streets.

      Bryant Street, north side, between 10th and 11th Streets.

      10th Street, west side, between Harrison and Bryant Streets.

      11th Street, east side, between Harrison and Bryant Streets

      Sanchez Street, east side, from 24th Street to 83 fee northerly (83-foot zone).

      2-HOUR PARKING TIME LIMIT (9 A.M. TO 6 P.M., MONDAY - SATURDAY) - ESTABLISH

      13th Street, both sides, between Folsom and Bryant Streets.

d. File 19-92-18. [Parking Regulations] Recommending establishment and extension of parking regulations at various locations; DPT order no. 347. (Department of Parking & Traffic)

PARKING METER AREA NUMBER 3 - (1-HOUR TIME LIMIT, MONDAY THROUGH SATURDAY, 9:00 A.M. - 6:00 P.M.) - EXTEND

Broadway, both sides, between Sansome and Battery Streets.

Broadway, north side, between Davis and Battery Streets.

NO PARKING, 6:00 A.M. TO 9:00 A.M., MONDAY THROUGH FRIDAY, EXCEPT VEHICLES WITH VAN POOL PERMITS - ESTABLISH

Washington Street, south side, from Battery Street to 255 feet easterly (255-foot zone).

PARK AND RIDE SHUTTLE BUS ZONE - ESTABLISH.

Washington Street, south side, from 460 feet to 510 feet east of Battery Street (50-foot zone, just east of driveway).

DIAGONAL (60-DEGREE ANGLE) PARKING, COMPACT CARS ONLY - ESTABLISH

Vallejo Street, south side, from a point 37 feet east of Grant Avenue to Kearny Street.

e. File 20-92-17. [Traffic Regulations] Recommending establishment and revocation of traffic regulations, various streets; DPT order no. 347. (Department of Parking & Traffic)

ONE-WAY STREET - ESTABLISH

Linden Street, westbound, between Octavia and Laguna Streets.

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH

Manchester Street, east side, from Bessie Street to 15 feet southerly (15-foot zone to be established in conjunction with all-way STOP's at this intersection).

TOW-AWAY, NO STOPPING ANYTIME - REVOKE

Broadway, both sides, between Sansome and Battery Streets.

RIGHT LANE MUST TURN RIGHT - ESTABLISH

Williams Avenue, westbound, at Vesta Street.

f. File 20-93-1. [Traffic Regulations] Recommending establishment of traffic regulations, various streets; DPT Order No. 367. (Department of Parking and Traffic)

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH
Montgomery Street, east side, between Washington and Clay Streets (replaces existing "Tow-Away, No Stopping, 7 A.M. to 6 P.M.").

Stanyan Street, west side, between Page and Haight Streets.

LEFT LANE MUST TURN LEFT - ESTABLISH
Montgomery Street, southbound, at Clay Street.

CROSSWALK CLOSURE - ESTABLISH
Parker Avenue at California Street, west crosswalk.

Maple Avenue at California Street, east crosswalk.

g. File 40-93-1. [Parking of Vehicles] Resolution extending the boundaries of Residential Permit Parking Area "I" in the Bartlett Street area; and adding to the list of streets upon which time limitations shall apply. (Department of Parking and Traffic)

ACTION: Item D severed (at request of Supervisor Maher). Remainder of consent calendar recommended.

(a) File 18-92-15. DPT recommendations recommended. Resolution entitled "[Stop Intersections] Designating certain intersections as "stop" intersection" prepared in/reported out of Committee. Recommended.

(b) File 19-92-17. Recommended.

(c) File 19-93-1. DPT recommendations recommended. Resolution entitled "[Parking Regulations] Enacting and extending parking regulations on various streets" prepared in/reported out of Committee. Recommended.

(d) File 19-92-18. Hearing held. DPT recommendations recommended. Resolution entitled "[Parking Regulations] Enacting and extending parking regulations on various streets" prepared in/reported out of Committee. Recommended.

(e) File 20-92-17. DPT recommendations recommended. Resolution entitled "Enacting and rescinding traffic regulations on various streets" prepared in/reported out of Committee. Recommended.

(f) File 20-93-1. DPT recommendations recommended. Resolution entitled "Enacting traffic regulations on various streets" prepared in/reported out of Committee. Recommended.

(g) File 40-93-1. Recommended.

REGULAR CALENDAR

2. File 124-93-1. [Traffic Regulations] Ordinance amending Traffic Code, by adding Section 28.1.93, relating to prohibiting operation of vehicles in excess of 6,000 pounds upon a portion of Newhall Street. (Department of Parking and Traffic)

ACTION: Hearing held. Recommended.

3. File 179-93-1. Hearing to consider family access to housing in San Francisco. (Supervisor Achtenberg)

ACTION: Consideration continued to 2/18/93 (at sponsor's request).

4. File 18-93-1. [Stop Intersections] Resolution designating certain intersections as "stop" intersections; DPT Order No. 367. (Supervisor Kennedy)

STOP SIGNS - ESTABLISH

Holloway and Granada Avenue, northeast and southwest corners, stopping Holloway Avenue traffic (makes this an all-way STOP);

Holloway and Faxon Avenues, northeast and southwest corners, stopping Holloway Avenue traffic (makes this an all-way STOP);

Jones Street and Broadway, northeast and southwest corners, stopping Broadway traffic (currently uncontrolled).

ACTION: Hearing held. Question on establishing stop signs on Holloway and Granada Avenues and Holloway and Faxon Avenues divided (see file 18-93-1.1). Remainder (Jones Street and Broadway) recommended.

File 18-93-1.1. [Stop Intersections] Designating certain intersections as "stop" intersections (Holloway and Granada Avenues and Holloway and Faxon Avenues); DPT Order No. 367.

Hearing held. Recommended. TO BOARD AS A COMMITTEE REPORT FOR 2/8/93 MEETING.

5. File 55-92-1. [Doyle Drive] Resolution urging the California Department of Transportation to expedite inclusion of a rebuilding of Doyle Drive in the next State Transportation Funding Cycle, and to promptly conduct tests of Doyle Drive traffic flows and their impact on present traffic patterns, as recommended by the Doyle Drive Task Force. (Supervisor Maher)

ACTION: Hearing held. Amendment of the Whole (as introduced by Supervisor Maher) adopted.

New Title: "[Doyle Drive] Resolution approving in principle the recommendations of the Doyle Drive Task Force and urging the California Department of Transportation to expedite inclusion of a rebuilding of Doyle Drive in the next state transportation funding cycle, and to promptly conduct tests of Doyle Drive traffic flows and their impact on present traffic patterns, as recommended by the Doyle Drive Task Force."

Consideration continued to 2/18/93.

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CALENDAR
REGULAR MEETING
HOUSING AND LAND USE COMMITTEE
BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

THURSDAY, February 18, 1993 - 10:00 a.m.   ROOM 228, CITY HALL

Members: Supervisors Achtenberg, Maher, Migden

Clerk: Joni Blanchard

1. File 124-93-2. [Residential Permit Parking - Foreign Consultants] Ordinance amending Traffic Code (Residential Permit Parking Program) by adding Section 308.6 to provide for the issuance of two additional residential parking permits to foreign consultants. (Department of Parking and Traffic)

   ACTION:

2. File 270-92-4. Hearing to consider the City's emergency preparedness measures. (Supervisor Alioto)

   ACTION:

3. File 109-93-1. [Rent Ordinance] Ordinance amending Administrative Code Sections 37.4, 37.7, 37.8 and 37.11A, to provide that petition for capital improvements, rehabilitation, and energy conservation measures must be filed no later than seven years after the work has been completed, to limit the amount hearing officers may refund to tenants for null and void rent increases, to limit the amount tenants may recover in civil actions for null and void rent increases, and to change the title of Executive Secretary to Executive Director. (Residential Rent Stabilization and Arbitration Board)

   ACTION:

4. File 206-93-1. Hearing to consider the eviction policy of the San Francisco Housing Authority. (Supervisors Hallinan, Kaufman, Bierman)

   ACTION:

5. File 114-93-1. [Earthquake Hazard Reduction] Ordinance amending Building Code Sections 306(a) 17 and 18, 1401, 1402, 1404(b), 1405, 1406, 1502(e), 1502(f), 1504, 1507(d), 1508(g), 1509(b), 1510(a), 1511(h), 1513(b), 1513(d), 1516; amending Tables No. 14-A, 15-A and 15-E and adding Section 1510(d); all relating to earthquake hazard reduction in unreinforced masonry bearing wall buildings by clarifying special inspection requirements, simplifying and clarifying the definition of exempt buildings, redefining risk level 1 to delete Group A-3 assembly occupancies, making more specific the time limits for compliance, limiting the requirement for an engineering report, clarifying that UMB buildings not listed by the superintendent must also comply with Chapters 14 and 15, setting time limits for the review and correction of inventory forms, providing for phased strengthening, clarifying requirements for UMB homeless shelters, extending the time extension for assembly occupancies owned by on-profit organizations to all risk levels and clarifying that the time limitation applies only when the building is used for assembly purposes with an occupant load of more than 299 persons, clarifying the requirements for party wall buildings and buildings of mixed construction, correcting technical definitions, clarifying when a foundation investigation or chord members are required, clarifying anchorage installation and testing requirements and making editorial corrections. (Supervisor Hsieh)

ACTION:

6. File 179-93-1. [Restrictive Occupancy Standards] Ordinance amending Housing Code Section 503 to prohibit any persons or their agents from refusing a dwelling unit on the basis of the number of occupants if the number of persons occupying a room for sleeping purposes does not violate the minimum superficial floor area standards prescribed in Section 503(b), and by adding Section 204(e) to provide for civil remedies. (Supervisor Achtenberg)

(Consideration continued from 2/4/93)

ACTION:

7. File 55-92-1. [Doyle Drive] Resolution approving in principle the recommendations of the Doyle Drive Task Force and urging the California Department of Transportation to expedite inclusion of a rebuilding of Doyle Drive in the next state transportation funding cycle, and to promptly conduct tests of Doyle Drive traffic flows and their impact on present traffic patterns, as recommended by the Doyle Drive Task Force. (Supervisor Maher)

(Consideration continued from 2/4/93)

ACTION:

8. File 171-92-9. [Terminal Separator] Resolution requesting Caltrans to undertake a study of alternative designs to the Terminal Separator structure replacement and the Transbay Terminal. (Supervisor Maher)

   ACTION:

9. File 12-93-5. [State Legislation, SCR 6 - Transportation] Resolution supporting Senate Concurrent Resolution 6, a resolution urging the Governor to establish the Intercity High-speed Rail Committee, which would prepare a 20-year high-speed intercity ground transportation plan with construction beginning in the year 2000. (Supervisor Maher)

   ACTION:

10. File 161-93-1. [Redevelopment Survey Area] Resolution designating and describing a Redevelopment Survey Area within the City and County of San Francisco pursuant to the California Community Redevelopment Law (10th and Market Streets, proposed new Federal office building site). (Supervisor Migden)

    FISCAL IMPACT

    ACTION:

Housing & Land Use Committee
Board of Supervisors
City Hall, Room 235
San Francisco, CA 94102

IMPORTANT HEARING NOTICE!

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February 16, 1993

TO: Housing and Land Use Committee

FROM: Budget Analyst Recommendations.

SUBJECT: February 18, 1993 Housing and Land Use Committee Meeting

Item 2 - File 270-92-4

Note: This item was continued at the January 5, 1993 City Services Committee meeting.

1. This item is a hearing to review City earthquake preparedness measures. (Earthquake preparedness measures are any steps that citizens or the government can take to prepare for and survive an earthquake.)

2. The City's Emergency Plan defines the measures that each City Department must take to prepare for and respond to emergency situations, including earthquakes. Coordination of departmental preparation and response is delegated to the Mayor's Office of Emergency Services (MOES) which is located at the new Emergency Command Center (ECC) at 1003A Turk Street. In an emergency, key staff from all City Departments would assemble at the ECC to direct and coordinate the City's response to the emergency. The MOES also provides information and organizes and trains citizens in earthquake and emergency situation preparedness measures.

3. Admiral John Bitoff (Retired), Director of the MOES reports that the City's ECC became minimally operational in August, 1992, and would be fully operational by January, 1993. The MOES ended a week of training with a four-hour exercise involving employees from all City departments in a simulated earthquake drill on October 2, 1992. In the second week of November, 1992, the ECC was officially opened with the first meeting of the Disaster Council in over a year. The Disaster Council is composed of heads of City Departments, representatives of other local governmental entities and other agencies such as the American Red Cross, Pacific Gas and Electric and Pacific Bell. Admiral Bitoff

indicates that the ECC is now being used by groups such as amateur (ham) radio operators to conduct training and exercises in disaster simulation.

4. Admiral Bitoff will be conducting a major seminar, drill or exercise each month during 1993 in the subjects of logistics, communications, public affairs, neighborhood groups and public safety. A full scale earthquake drill is planned for October 19, 1993, the fourth anniversary of the 1989 Loma Prieta earthquake. Admiral Bitoff's goals for the MOES include more training for City Department staff, integrating Fire, Police and Paramedic communications systems and education of neighborhood groups for earthquakes and hazardous materials and other emergency situations.

5. Admiral Bitoff advises that the MOES has finished putting the City's Emergency Plan onto computer discs. The appropriate disc will be sent to each City Department for revision and update by the department. Sections of the City's Emergency Plan pertaining to the private sector have already been revised.

6. Admiral Bitoff reports that the Neighborhood Earthquake Preparedness Coalition is now providing volunteers to answer an earthquake preparedness public information phone line. The volunteers respond to citizen inquiries regarding earthquake preparedness measures that the citizen may implement. The Neighborhood Earthquake Preparedness Coalition also provides brochures to the public and arranges for speakers and facilitators for neighborhood meetings.

7. The San Francisco Fire Department, in conjunction with the MOES, has trained approximately 600 citizens in the formation of Neighborhood Emergency Response Teams (NERT). A total of 20 NERTs have been formed in the Noe Valley, Twin Peaks, Lakeside, Russian Hill, Presidio Heights, Glen Park and Chinatown neighborhoods.

8. Earthquake Safety Program (ESP) Phase I bond funding includes $1.6 million for seismic strengthening of 24 City-owned buildings (seismic strengthening is construction on existing buildings to enable them to withstand future earthquakes). ESP Phase II bond funding includes $204.8 million for seismic strengthening of 20 City-owned buildings.

9. The Budget Analyst issued a report to the Board of Supervisors in December, 1992, entitled an "Analysis of Expenditures Made Relating to the 1989 Loma Prieta Earthquake," which indicated that of the City's total estimated earthquake-related costs of $334.8 million, a total of $114.1 million in outside funds (Federal, State and other agencies) has been authorized to the City, thereby leaving a gap of $220.7 million.

Item 4 - File 206-93-1

1. This item is a hearing to consider the eviction policy of the San Francisco Housing Authority.

2. The San Francisco Housing Authority (SFHA) Eviction Policy is included as part of the SFHA's Policies Governing Resident Admission and Continued Occupancy dated September 1992.

3. The SFHA Eviction Policy contains the following provisions:

- the SFHA shall not terminate or refuse to renew the Dwelling Lease, other than for serious or repeated violations of material terms of the lease, such as the failure to make payments due under the lease, to fulfill the resident obligations as set forth in the lease, the violation of other provisions of the lease or for other good cause;

- families are considered habitually late when they fail to pay rent, when due, three (3) times within a consecutive twelve (12) month period. This situation shall be considered a "repeated violation" of a material term of the lease and shall be a basis for eviction.

- every reasonable and diligent administrative effort will be made by the SFHA to avoid eviction. Before the SFHA may take action to terminate the lease and evict a family for any cause, it shall give adequate administrative notice before pursuing appropriate legal actions. Adequate notice shall be as follows:

    a. fourteen (14) days in the case of failure to pay rent;

    b. three (3) days in the case of a creation or maintenance of an act that threatens the health or safety of other tenants, SFHA employees or the general public; and

    c. thirty (30) days in all other cases.

4. The SFHA's General Counsel has developed a "Property Manager's Eviction Procedures Manual", dated August 1986, to provide step-by-step procedures for property management staff to follow in legally terminating a lease and/or removing tenants and other occupants from their apartment units.

5. According to the Property Manager's Eviction Procedures Manual, if the person on the property has signed a lease with the SFHA, the person is classified as a tenant and the SFHA must follow the full civil eviction procedure as required by law. Also, if the person living on the premises claims to have permission from the tenant to remain there, or has an agreement with the tenant, wherein that person is to pay the rent due either to the tenant or to the SFHA, the Court requires that both the tenant, and the person with permission to live in the tenant's unit, be given the benefit of the doubt, and that the SFHA is to follow the

full civil eviction procedure, even though the SFHA lease prohibits subletting or assignment of the lease.

6. The SFHA eviction procedure is a legal process known as an Unlawful Detainer action, designed to regain possession of real property and evict tenants and/or their sub-tenants.

7. The leases of the SFHA state that the tenants will not be terminated for other than serious or repeated violations of the material terms of the lease. This means that for serious violations, one incident is sufficient to formulate a basis for termination. Those lease violations, which are serious, are typically those which either involve substantial risk or harm to persons or property; or which form the major responsibility under the lease. They include:

- failure to pay rent, engaging in illegal activity on SFHA property and failure to report and furnish information for rent reexamination;
- creation or maintenance of a threat to the health or safety of other tenants or SFHA employees;
- subleasing or assignment of the unit;
- failure to report major changes of income; and
- causing major damage or destruction to the unit.

Comments:

1. In a progress report dated December 14, 1989, to the Commissioners of the San Francisco Housing Authority, Mr. David Gilmore, Executive Director states on page 5 that "because we (SFHA) are housing of last resort, we limit eviction to only the most extreme circumstances." Mr. Gilmore states further on page 26 that "because of the devastating impact of eviction, it is essential that we impose the penalty as an absolute last resort except where it results from criminal activity. We must be prepared to assist residents who fall into arrears in rent or are unable to maintain a household in acceptable condition."

2. On September 5, 1990, Mr. Gilmore advised the SFHA Commission that the number of delinquent rent cases has continued to increase despite SFHA staff efforts to assist tenants with home visits and consultations and with increased activity of the SFHA Legal Division. Mr. Gilmore further advised the SFHA Commission that eviction action had been initiated against approximately 7 tenants a week and that an average of 4 tenants a week were evicted.

3. Mr. Gilmore reported to the SFHA Commission on July 1, 1991, that the expeditious processing of delinquent rent cases has resulted in both increased collections of rent and an increased number of executed stipulated agreements in Municipal Court. A stipulated agreement is an agreement between the SFHA and the SFHA tenant in which the tenant admits owing back rent, agrees to its repayment and gives up the right of dwelling unit occupancy. The agreement is filed in court as a judgment. If the tenant does not comply with the stipulated agreement, the SFHA has the right to evict the tenant without benefit of trial.

4. On April 10, 1992, the SFHA General Counsel reported in the Executive's Director Semi-Annual Report that the processing timeframe for eviction actions has been reduced significantly because of the more diligent work of the property managers to assemble legal documents and to submit completed documentation for evictions to the SFHA Legal Department. In order to process an increasing number of eviction cases in Municipal Court, the SFHA Legal Department has hired two additional legal clerks.

5. According to data compiled by the SFHA Legal Department, during the last fiscal year (October 1991 through September 1992), the SFHA filed a total of 435 eviction complaints with the Municipal Court and completed a total of 134 evictions as the result of SFHA initiated court action complaints.

Item 7 - File 55-92-1

1. The proposed resolution would approve in principle, the recommendations of the Doyle Drive Task Force and would urge the California Department of Transportation (Caltrans) to expedite inclusion of a rebuilding of Doyle Drive in the next State transportation funding cycle and to promptly conduct tests of Doyle Drive traffic flows and their impact on present traffic patterns, as recommended by the Doyle Drive Task Force. The proposed resolution also provides that three members of the Doyle Drive Task Force representing the community and three City Department staff (one each from the Departments of Public Works, Parking and Traffic and City Planning) shall work with Caltrans on their project study committee and that the City shall seek funding from Caltrans to pay the costs of the three City staff.

2. According to the California Department of Transportation, Doyle Drive is deteriorating as a result of internal rusting of the steel reinforcement in the concrete and the concrete itself is crumbling. Therefore, Caltrans has determined that Doyle Drive is nearing the end of its useful life and must be replaced.

3. In October, 1991, the Board of Supervisors created the Doyle Drive Task Force (Resolution No. 900-91) to investigate conditions on Doyle Drive and to evaluate alternative replacements for Doyle Drive. The Doyle Drive Task Force was directed to submit a report to the Board of Supervisors to include 1) information on Doyle Drive's current traffic conditions, 2) an analysis of the projected short and long-term changes in those conditions and 3) recommendations to improve the safety of the roadway.

4. The 18-member Doyle Drive Task Force includes representatives from the Golden Gate Bridge Highway and Transportation District, the Presidio of San Francisco, the San Francisco Chamber of Commerce, the Golden Gate National Recreation Area, the San Francisco Planning and Urban Research Association, the Sierra Club, City Departments (Police, Public Works, Planning and Parking and Traffic) as well as individuals from the neighborhoods and representatives from neighborhood organizations.

5. Currently, Doyle Drive consists of six lanes with moveable pylons that are positioned between the lanes in order to designate four lanes for Southbound traffic during the peak morning commute hours and four lanes for Northbound traffic during the peak evening commute hours, leaving two lanes for opposing traffic. Golden Gate Bridge at the Northern end of Doyle Drive handles approximately 127,000 vehicles daily. During morning commute hours, Doyle Drive handles approximately 6,700 vehicles per hour and during evening commute hours, Doyle Drive handles approximately 6,100 vehicles per hour. The National Park Service estimates that Presidio-related use of Doyle Drive will increase from approximately 6,000 vehicles per day in 1992 to approximately 16,000 vehicles per day by the year 2010.

6. Caltrans has proposed that the replacement for Doyle Drive be either an eight lane road or a six lane road with no intracity connections to Route 1. The Doyle Drive Task Force draft report (the final report has not been printed as of the writing of this report) recommends six lanes with the intracity connections and also includes the following recommendations:

- Widen traffic lanes, add shoulders and a fixed median barrier.
- Provide three traffic lanes in each direction, for a total of six lanes.
- Engineer entrance and exit ramps for safer merging movements.
- Maintain the 45 mile per hour speed limit.
- Engineer connecting ramps for speeds compatible with the parkway's posted speed limit.
- Locate and design entrance and exit ramps to minimize neighborhood impacts.
- Provide an interchange so that Doyle Drive traffic can enter the Presidio directly, instead of traveling through surrounding neighborhoods.
- Support the design concept of a scenic parkway, providing a view of the Golden gate Bridge areas.
- Give the Eastern ends of Doyle Drive the character of the City streets.
- Realign the Richardson Ave. ramps to Gorgas St., to restore open space near the Palace of Fine Arts, and to move the roadway away from nearby private residences.
- Realign the Marina Blvd. ramps.
- Use tunnels to reduce traffic noise, restore parkland, and reconnect the Presidio Main Post and Crissy Field.
- Provide pedestrian overlooks with spectacular vistas.

Comments

1. According to the draft report, Caltrans states that if the City does not select one of the Caltrans proposals, Caltrans will either not fund the replacement roadway or will build the six-lane project without intracity connections.

BOARD OF SUPERVISORS
BUDGET ANALYST

2. The Doyle Drive Task force draft report does not specify the cost or the source of funds for the proposed recommendations. The Doyle Drive Task Force draft report notes that Caltrans requires approximately six months to prepare a Project Study Report, which is the first step in getting a project funded with State and Federal monies. The deadline for projects to be included in the 1994 State Transportation Improvement Program and Federal Transportation Improvement Program is July 1, 1993. The draft report indicates that if the July 1, 1993 deadline is missed, the next such deadline to obtain State and Federal funding for replacement of Doyle Drive will be in two years.

3. Mr. Mark Rand, the Department of Parking and Traffic member of the Doyle Drive Task Force, estimates that the costs of the three City staff that will work with Caltrans total approximately $15,500 for the five month period of the Caltrans study. According to the proposed resolution, the City would seek reimbursement of these costs from Caltrans.

Recommendation

Approval of the proposed resolution is a policy matter for the Board of Supervisors.

Harvey M. Rose

cc: Supervisor Achtenberg
Supervisor Maher
Supervisor Migden
President Alioto
Supervisor Bierman
Supervisor Conroy
Supervisor Hallinan
Supervisor Hsieh
Supervisor Kaufman
Supervisor Kennedy
Supervisor Shelley
Clerk of the Board
Chief Administrative Officer
Controller
Teresa Serrata
Barbara Kolesar
Ted Lakey

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CALENDAR
REGULAR MEETING
HOUSING AND LAND USE COMMITTEE
BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

THURSDAY, March 4, 1993 - 9:00 a.m. Legislative Chamber, City Hall

Members: Supervisors Achtenberg, Maher, Migden

Clerk: Joni Blanchard

NOTE: THE REGULARLY SCHEDULED MEETING TIME OF THE HOUSING AND LAND USE COMMITTEE IS 10:00 A.M., HOWEVER, FOR THIS MEETING ONLY, COMMENCEMENT TIME WILL BE 9:00 A.M.

1. File 179-93-1. [Restrictive Occupancy Standards] Ordinance amending Housing Code Section 503 to prohibit any persons or their agents from refusing a dwelling unit on the basis of the number of occupants if the number of persons occupying a room for sleeping purposes does not violate the minimum superficial floor area standards prescribed in Section 503(b), and by adding Section 204(e) to provide for civil remedies. (Supervisor Achtenberg)

   (Consideration continued from 2/18/93)

   ACTION:

2. File 109-93-1. [Rent Ordinance] Ordinance amending Administrative Code Sections 37.4, 37.7, 37.8 and 37.11A, to provide that petition for capital improvements, rehabilitation, and energy conservation measures must be filed no later than seven years after the work has been completed, to limit the amount hearing officers may refund to tenants for null and void rent increases, to limit the amount tenants may recover in civil actions for null and void rent increases, and to change the title of Executive Secretary to Executive Director. (Residential Rent Stabilization and Arbitration Board)

   (Consideration continued from 2/18/93)

   ACTION:

3. File 171-92-9. [Terminal Separator] Resolution requesting Caltrans to undertake a study of alternative designs to the Terminal Separator structure replacement and the Transbay Terminal. (Supervisor Maher)

   (Consideration continued from 2/18/93)

   (Chair may entertain a motion to continue this item.)

   ACTION:

4. File 24-93-1. [Permit] Appealing decision of the Department of Public Works by its letter, dated January 22, 1993, denying Stacey Morrone of AQUA, a Minor Sidewalk Encroachment Permit for property located at 252 California Street to place two planters at the entry to building. (Stacey Morrone of AQUA)

   ACTION:

5. File 34-93-1. [Width of Sidewalk] Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalk" by adding thereto Section 1508 re-establishing the official width of sidewalk on the east side of DeHaro Street between 16th and 17th Streets, said sidewalk width to be eight feet; and making findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

   ACTION:

Housing & Land Use Committee
Board of Supervisors
City Hall, Room 235
San Francisco, CA 94102

IMPORTANT HEARING NOTICE!

D 0152

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Public Library, Documents Dept.
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CITY AND COUNTY OF SAN FRANCISCO

BOARD OF SUPERVISORS

BUDGET ANALYST
1390 MARKET STREET, SUITE 1025
SAN FRANCISCO, CALIFORNIA 94102 • TELEPHONE (415) 554-7642

March 16, 1993

TO: Housing and Land Use Committee

FROM: Budget Analyst Recommendations.

SUBJECT: March 18, 1993 Housing and Land Use Committee Meeting

Item 1 - File 7-93-5

1. This item is a hearing to consider a status report on the construction of the Municipal Railway's F-line from the foot of Market Street to Fisherman's Wharf.

2. In 1983, the Board of Supervisors approved a policy resolution which called for the F-Line Embarcadero Streetcar Extension, an extension of the F-Market Street line to Fisherman's Wharf featuring the City's historic streetcar collection.

3. The F-Line Streetcar Embarcadero Extension Project (F-Embarcadero Line) will extend the "F" Market Street from Market and Steuart Streets through the MUNI Bus Plaza, along The Embarcadero to North Point Street, and via a loop along Jefferson, Jones and Beach Streets in the Fisherman's Wharf area (Fisherman's Wharf Loop). The F-Embarcadero Line project is divided into three segments:

> (a) Segment 1 - Ferry Building to North Point Street (Attachment 1) - This segment is sub-divided into Segment A, from Broadway north to North Point Street and Segment B, from Broadway south to the Ferry Building. Segment A is also called the North Embarcadero Section and is currently included in a joint bid proposal requested by the Department of Public Works (DPW) and PUC. The joint bid proposal is for the reconstruction of the Embarcadero roadway and alternate construction proposals to install the MUNI F-Embarcadero Line for historic trolleys (see Comment 1). Segment B is part of the Mid Embarcadero Section of the Embarcadero Roadway project which is currently under environmental review (see Segment 3 below).

(b) Segment 2 - Fisherman's Wharf Loop (Attachment 2) - This segment of the F-Embarcadero Line would link the F-Line Embarcadero with Fisherman's Wharf business and entertainment centers. Because this segment involves streetcar improvements only, the project does not require an Environmental Impact Report (EIR). According to Ms. Barbara Sahm of the Department of City Planning, the Fisherman's Wharf Loop did not require an environmental review because the project is solely a transit improvement of less than four miles in length. Mr. Flint Nelson of PUC Utilities Engineering Bureau reports that preliminary design for this segment would occur over the 18 month period from July 1993 through December 1994 and that bid documents would be available early in 1995 for a soliciting of bids.

(c) Segment 3 - Bus Plaza at Steuart Street (Attachment 3) - This segment is also included in the Mid Embarcadero Section of the Embarcadero Roadway project which is currently under environmental review. The anticipated completion date for a draft EIR is April 1994 and the subsequent review and completion of the EIR process is estimated to take up to an additional nine months for completion by the end of 1994. Under these circumstances, Mr. Nelson advises that the design for Segment 3 as well as the Segment B portion of Segment 1 (Mid Embarcadero Section) of the F-Embarcadero Line would require an estimated nine months and that bid documents would be available in late 1995 or early 1996 for a soliciting of bids.

4. Along the entire route of the F-Embarcadero Line from the Ferry Building to Jones Street, traffic signal preemption would be provided. The streetcar will be provided with exclusive right-of-way with special trackway finishes. Five major transit stops have been planned at the following location: (1) Ferry Building; (2) The Embarcadero and Filbert Street; (3) Pier 39; (4) Jones Street near Beach Street; and (5) Beach Street and Grant Avenue. Handicapped access facilities, ticket vending machines and transit shelters are proposed for these locations.

5. The F-Embarcadero Line will extend the F-Market Street line from Castro Street to Fisherman's Wharf and will replace the existing No. 32 Embarcadero Bus line currently serviced with diesel buses. The use of historic streetcars on the F-Embarcadero Line is expected to attract new riders to supplement the crowded cable car service to Fisherman's Wharf.

Comments:

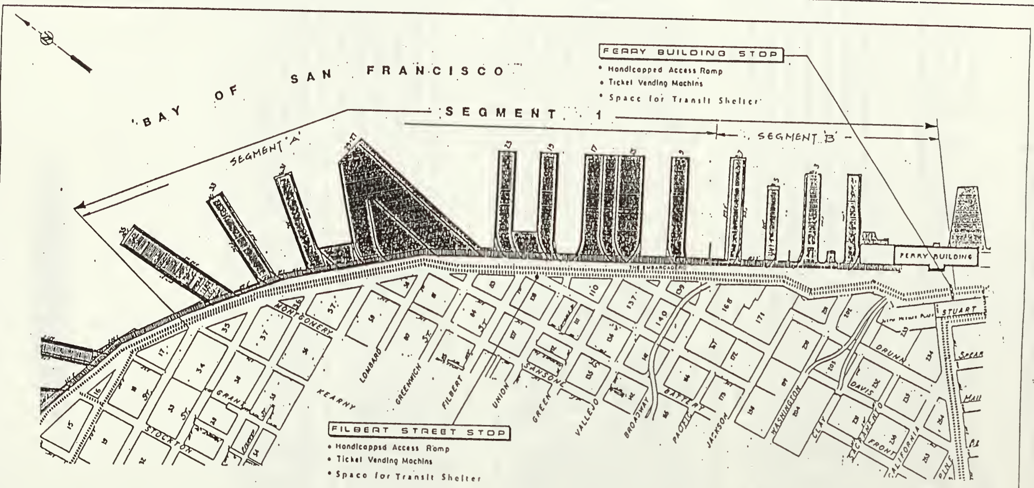
1. PUC currently estimates that the F-Line Embarcadero Streetcar Extension from the foot of Market Street to Fisherman's Wharf will cost approximately $55.0 million.

2. Mr. John Pons of DPW's Bureau of Engineering advises that bids have been requested for the reconstruction of the North Embarcadero Section, Broadway to North Point Street, including the reconstruction of the roadway and alternative railway proposals. The alternative railway proposals would provide either (1) a partial installation of just the underground electrical components and support systems or (2) the full installation of both the underground and surface components including the rails and overhead transmission wires for the F-Embarcadero Line. Bids, including the alternative proposals to construct the F-Embarcadero Line, are to opened on April 7, 1993.

3. Ms. Carmen Clark of the Transportation Authority advises that $10,469,000 in sales tax revenues have been reserved in October, 1992 for the construction of the F-Embarcadero Line within the North Embarcadero Section (Broadway to North Point Street). In addition to the reserve of $10,479,000 the Transportation Authority's Twenty Year Expenditure Plan has set aside $12.5 million to complete the F-Embarcadero Line including the Fisherman's Wharf Loop and the Bus Plaza at Steuart Street which are estimated to start construction during 1995 and 1996 respectively. Therefore, until the segment of the F-Line Embarcadero Streetcar Extension between the Ferry Building and Broadway is completed sometime in 1997 or 1998, the entire F-Line Embarcadero Streetcar Extension from the Ferry Building to Fisherman's Wharf cannot become operational.

4. Mr. Fred Howell of the PUC Finance Bureau advises that a decision to build a partial or full construction of the F-Embarcadero Line within the North Embarcadero Section will await a full review of the bids received on April 7, 1993. Based on that review, PUC staff will recommend to the PUC either the partial or full development of F-Embarcadero Line as part of the North Embarcadero Section roadway reconstruction. Other funds eligible for the development of the F-Line Embarcadero Streetcar Extension, that are in addition to the funds identified in the Transportation Authority's Twenty Year Expenditure Plan, include State Rail Bonds (Proposition 108), Bridge Tolls (Regional Measure One), San Francisco Municipal Railway Improvement Corporation (SMRIC) funds and Transit Impact Development Fees.

Attachment 1



FERRY BUILDING STOP

- Handicapped Access Ramp
- Ticket Vending Machine
- Space for Transit Shelter

FILBERT STREET STOP

- Handicapped Access Ramp
- Ticket Vending Machine
- Space for Transit Shelter

DESIGN FEATURES:

TRACKWAY

- Exclusive Right of Way
- Special Trackway Finish
- Drainage

OVERHEAD/TRACKLIGHT

- "TEAR-DROP" Luminaries and Ornamental Poles Along Waterfront
- "COBRA" Street Lights Other Locations

TRAFFIC SIGNAL

- Signal Pre-emption All Intersections and Pedestrian
- Mid-Block Signals.

COMMUNICATION

- TVM To Remote Terminal Unit (RTU) @ EMBARCADERO
- RTU To Control Provided By MMX SCADA SYSTEM

CONTRACT NO.

CITY AND COUNTY OF SAN FRANCISCO
PUBLIC UTILITIES COMMISSION
UTILITIES ENGINEERING BUREAU

"F" LINE
EMBARCADERO EXTENSION
SEGMENT 1 — WORK SCOPE

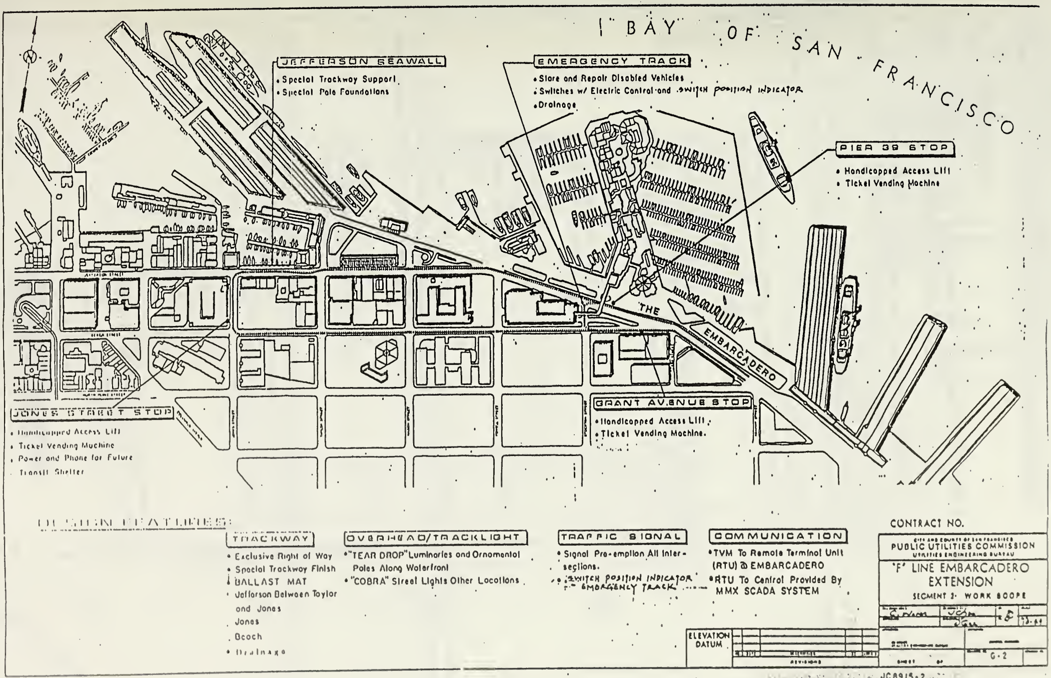
ELEVATION DATUM

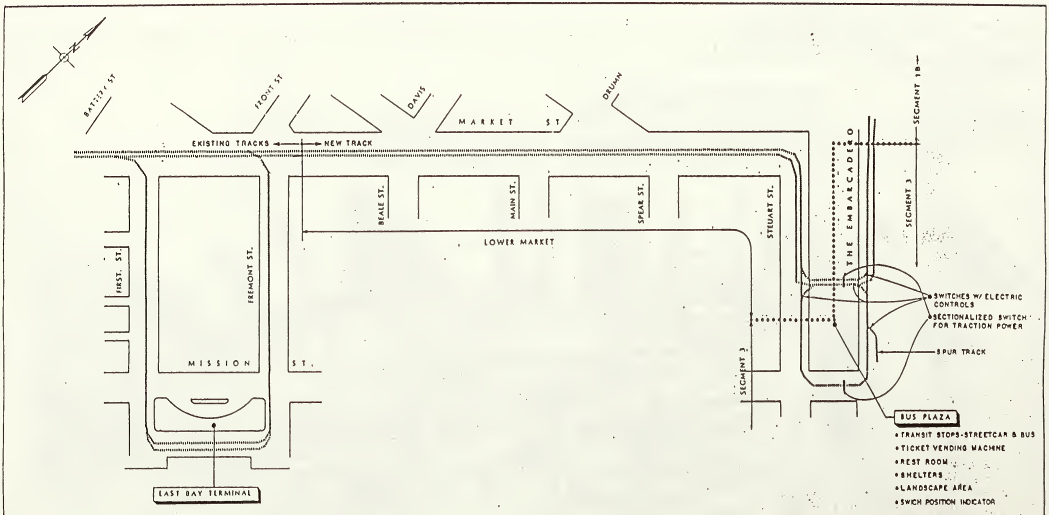
REVISIONS

G-1

JC 8915-1

CHAPTER I


BAY OF SAN FRANCISCO
JEFFERSON SEAWALL
• Special Trackway Support
• Special Pole Foundations
EMERGENCY TRACK
• Store and Repair Disabled Vehicles
• Switches w/ Electric Control and SWITCH POSITION INDICATOR
• Drainage
PIER 39 STOP
• Handicapped Access Lift
• Ticket Vending Machine
THE EMBARCADERO
JONES STREET STOP
• Handicapped Access Lift
• Ticket Vending Machine
• Power and Phone for Future Transit Shelter
GRANT AVENUE STOP
• Handicapped Access Lift
• Ticket Vending Machine.
DESIGN FEATURES:
TRACKWAY
• Exclusive Right of Way
• Special Trackway Finish
• BALLAST MAT
• Jefferson Between Taylor and Jones
Jones
Beach
• Drainage
OVERHEAD/TRACKLIGHT
• "TEAR DROP" Luminaries and Ornamental Poles Along Waterfront
• "COBRA" Street Lights Other Locations
TRAFFIC SIGNAL
• Signal Pre-emption All Intersections.
• SWITCH POSITION INDICATOR @ EMERGENCY TRACK
COMMUNICATION
• TVM To Remote Terminal Unit (RTU) @ EMBARCADERO
• RTU To Control Provided By MMX SCADA SYSTEM
CONTRACT NO.
CITY AND COUNTY OF SAN FRANCISCO
PUBLIC UTILITIES COMMISSION
UTILITIES ENGINEERING BUREAU
'F' LINE EMBARCADERO EXTENSION
SEGMENT 2- WORK SCOPE
ELEVATION DATUM
REVISIONS
G-2
JCA915-2



"F" LINE EMBARCADERO EXTENSION

LOWER MARKET & SEGMENT 3

CONTRACT NO.

CITY AND COUNTY OF SAN FRANCISCO
PUBLIC UTILITIES COMMISSION
UTILITIES ENGINEERING BUREAU

"F" LINE EMARCADERO
EXTENSION
SEGMENT 3 WORK SCOPE

G. Nara
None
G-3

ELEVATION DATUM

REVISIONS

Item 4 - File 270-92-1

Note: This item was continued at the August 11, 1992 Economic and Social Policy Committee Meeting.

1. This item is a hearing to consider legislation to require every dwelling unit in the City to be equipped with an earthquake preparedness kit.

2. According to the Pacific Bell White Pages First Aid Survival Guide, the basic emergency earthquake preparedness supplies to have on hand are as follows:

Radio, portable battery operated
Flashlights
Extra batteries
First aid kit and handbook
Water, drinkable, week's supply for each family member
Food, canned, week's supply for each family member
Milk, powdered, week's supply for each family member
Medications
Eyeglasses
Wrenches, pipe or crescent, to turn off gas and water lines
Barbecue or camp stove
Stove fuel
Chlorine bleach to purify drinking water
Blankets
Warm clothes
Sturdy shoes

3. The Mayor's Office of Emergency Services suggests that in addition to the above listed supplies, the following items be included in the list of basic emergency earthquake preparedness supplies to have on hand:

Gloves
Heavy plastic garbage bags
Dry bleach

These three items would be used instead of normal toilet facilities should the toilets not be able to be used.

Memo to Housing and Land Use Committee
March 18, 1993 Meeting of Housing and Land Use Committee

Item 5 - File 270-92-4

1. This item is a hearing to review the City's emergency preparedness measures. (Earthquake preparedness measures are any steps that citizens or the government can take to prepare for and survive an earthquake.)

2. The City's Emergency Plan defines the measures that each City Department must take to prepare for and respond to emergency situations, including earthquakes. Coordination of departmental preparation and response is delegated to the Mayor's Office of Emergency Services (MOES) which is located at the new Emergency Command Center (ECC) at 1003A Turk Street. In an emergency, key staff from all City Departments would assemble at the ECC to direct and coordinate the City's response to the emergency. The MOES also provides information and organizes and trains citizens in earthquake and emergency situation preparedness measures.

3. Rear Admiral John Bitoff (Retired), Director of the MOES reports that the MOES ended a week of training with a four-hour exercise involving employees from all City departments in a simulated earthquake drill on October 2, 1992. In the second week of November 1992 the ECC was officially opened with the first meeting of the Disaster Council in over a year. The Disaster Council is composed of heads of City Departments, representatives of other local governmental entities and other agencies such as the American Red Cross, Pacific Gas and Electric and Pacific Bell.

4. Admiral Bitoff will be conducting a major seminar, drill or exercise every other month during 1993 in the subjects of logistics, communications, public affairs, neighborhood groups and public safety. To date the MOES has held exercises for Public Affairs Officers and for Operations staff this year. An exercise for Public Health and Emergency Medical personnel will be held in March. A full scale earthquake field exercise is planned for April 15, 1993, involving City personnel and community groups. A citywide departmental functional exercise is scheduled for October 1993. Admiral Bitoff's goals for the MOES include more training for City Department staff, integrating Fire, Police and Paramedic communications systems and education of neighborhood groups for earthquakes and hazardous materials and other emergency situations.

5. Admiral Bitoff reports that when a major citywide emergency occurs, neighborhoods might have to address the needs of citizens without the benefit of City services for up to three days after the disaster occurs. Citizen participation in emergency response planning focuses on training teams of neighbors to work independent of the City at the neighborhood level.

6. The San Francisco Fire Department trains citizens in the formation of Neighborhood Emergency Response Teams (NERT). NERT Program Coordinator Frank Lucier reports that there are trained NERT teams in eighteen San Francisco neighborhoods. NERT will train teams to serve seven new neighborhoods by June of 1993. Mr. Lucier states that over 900 people have completed the NERT training course. He notes that he is also setting up a network of amateur radio operators to facilitate communication among NERT teams, and between the NERT teams and MOES in an emergency.

7. There are no NERT teams in the neighborhoods of Bayview/Hunters Point, Ingleside, the Mission, Pacific Heights and the Western Addition. Mr. Lucier states that he is working with the Chamber of Commerce Community Representative to try to recruit community leaders to the NERT program in areas where the program does not have a presence yet.

8. Admiral Bitoff reports that the San Francisco Neighborhood Earthquake Preparedness Coalition (NEPC), a volunteer organization of neighborhood representatives, has installed a telephone and answering machine in the ECC office to answer citizen questions regarding earthquake preparedness measures that citizens can implement. However, the NEPC has so far been unable to provide sufficient volunteers to staff the telephone line on a regular basis.

9. Admiral Bitoff also reports that space for meetings and training sessions is available at the ECC at 1003A Turk Street for neighborhood groups that have an emergency preparedness focus. The ECC has been used by groups such as the Volunteer Organization Active in Disasters, the Red Cross Disaster Council, and the Amateur Radio Coordinators' Committee. MOES staff participate in these meetings.

10. Earthquake Safety Program (ESP) Phase I bond funding includes $1.6 million for seismic strengthening of 24 City-owned buildings (seismic strengthening is construction on existing buildings to enable them to withstand future earthquakes). ESP Phase II bond funding includes $204.8 million for seismic strengthening of 20 City-owned buildings.

11. The Budget Analyst issued a report to the Board of Supervisors in December, 1992 entitled an "Analysis of Expenditures Made Relating to the 1989 Loma Prieta Earthquake," which estimated that of the City's total estimated earthquake-related costs of $334.8 million, a total of $114.1 million in outside funds (Federal, State and other agencies) has been authorized to the City, thereby leaving a gap of $220.7 million.

Comment

The subject of this hearing is closely related to two other matters before the Housing and Land Use Committee. The first is a hearing to consider legislation to require all dwelling units in the City to be equipped with an emergency preparedness kit (see Item 4, File 270-92-1 of this report). The second is a proposed resolution that would urge the Mayor to urge the Director of the Office of Emergency Services to adopt the findings and recommendations of the Neighborhood Preparedness Advisory Committee Report of October 1991 (see Item 6, File 270-92-4.1 of this report). A related pending resolution (File 270-93-1) has not yet been calendared by the Board of Supervisors. That resolution would urge the Mayor to urge the Director of the Office of Emergency Services to prepare a plan for implementing a program of citizen participation in emergency services efforts at the neighborhood level.

Item 6 - File 270-92-4.1

1. The proposed resolution would urge the Mayor to urge the Director of the Mayor's Office of Emergency Services (MOES) to adopt the findings and recommendations of the Neighborhood Preparedness Advisory Committee Report (NPACR) to the Disaster Council (October 1991), as part of the City's official Disaster Preparedness Plan.

2. The NPACR recommends that the City take a variety of steps to promote disaster preparedness among the citizens and neighborhood groups of San Francisco, and integrate private activity at the neighborhood level into overall City disaster preparedness and recovery planning. The report does not make specific recommendations regarding an implementation staff or budget.

3. The Advisory Committee was convened by the Mayor in December 1990 and asked to present findings and recommendations to the Disaster Council about how to promote neighborhood earthquake awareness. The "Background" section of the NPACR states that the advisory committee made their findings and recommendations based on a survey of designated disaster first-aid stations, and consultation with professionals in the fields of social services, disaster preparedness and public safety, as well as neighborhood groups, over a ten-month period.

4. Ms. Lorraine Lowe, chair of the Neighborhood Preparedness Advisory Committee of the Disaster Council, states that there has been no official response from the Mayor's office to the NPACR since it was submitted in October of 1991. Both Ms. Lowe and Frank Schober, Coordinator of Emergency Services in MOES, however, report that departments are taking action on some of the items proposed in the NPACR on an ad hoc basis.

5. The NPACR makes recommendations in the areas of neighborhood preparedness, seniors and people with disabilities, children and youth, multi-lingual and multi-cultural considerations, emergency medical response, and the role of the Mayor's Office of Emergency Services. Some of the major recommendations in the NPACR are:

- calls on the MOES to serve as a clearinghouse for earthquake preparedness information and referral. It asks the City to create or translate multilingual emergency preparedness materials, and to conduct a multilingual and multicultural outreach campaign to educate citizens about the City's Emergency Operations Plan and general citizen preparedness measures.

-recommends that the MOES assign staff to provide technical assistance to neighborhood-based groups, and that the City provide disaster preparedness training to schools and childcare providers.

-asks the MOES and the Public Health Department to revise the existing Medical Response Plan to include protocols for implementation, and evaluate and/or upgrade the quality of designated First Aid stations throughout the City.

6. Rear Admiral John Bitoff (retired), Director of the Mayor's Office of Emergency Services (MOES) states that with a total of only three staff positions at MOES he is not able to implement a major new neighborhood preparedness program, although MOES tries to accommodate the needs of neighborhood emergency preparedness groups wherever possible.

7. The proposed resolution is closely related to another pending resolution (File 270-93-1) which has not yet been calendared by the Board of Supervisors. That resolution would urge the Mayor to urge the Director of the Office of Emergency Services to prepare a plan for implementing a program of citizen participation in emergency services efforts at the neighborhood level.

Recommendation

Approval of the proposed resolution to urge the Mayor to urge the Director of the Office of Emergency Services to adopt the findings and recommendations of the Neighborhood Preparedness Advisory Committee Report as part of the City's official Disaster Preparedness Plan is a policy matter for the Board of Supervisors.

Item 10 - File 161-93-1

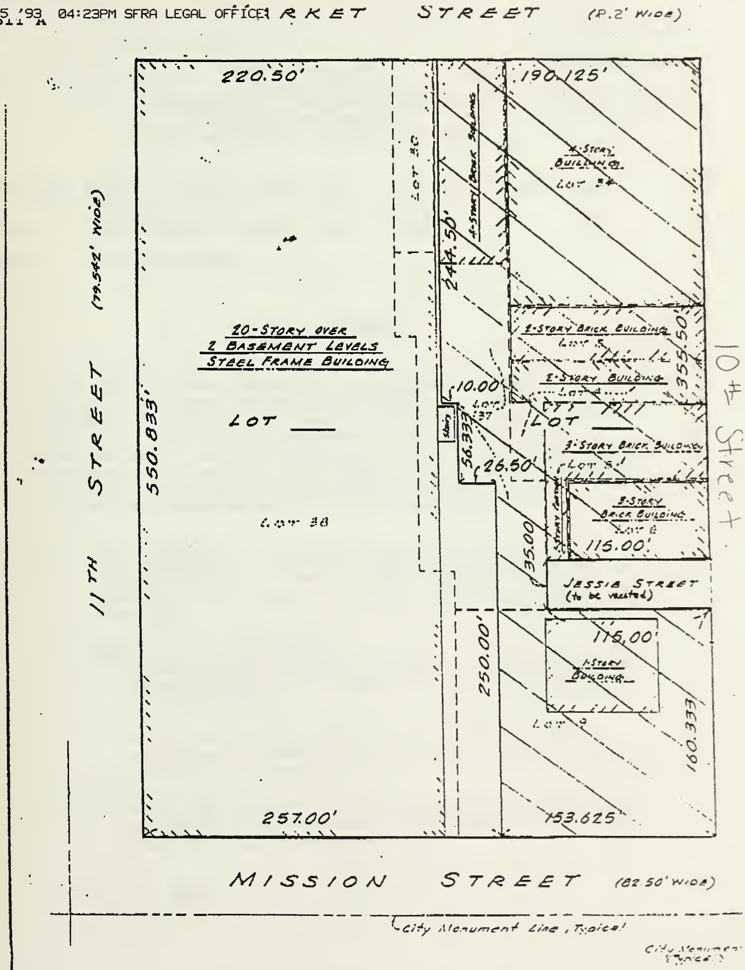
Department:	San Francisco Redevelopment Agency (SFRA)
Item:	Resolution designating and describing a Redevelopment Survey Area within the City and County of San Francisco pursuant to the California Community Redevelopment Law.
Description:	Section 33310 of the California Community Redevelopment Law provides that the legislative body of the City may designate a "survey area" (a potential project site), by resolution for the purpose of studying the feasibility of redeveloping a proposed area. The SFRA reports that an area within the City (the Proposed Survey Area) has been identified by the SFRA as a possible site for a Federal Office Building Project. The Proposed Survey Area is located south of market and is bounded by Market, 10th, Mission, and 11th Streets (see attached map). A portion of Jessie Street (located between 10th and 11th) would be vacated if the Proposed Survey Area were to be approved as the site for a Federal Office Building Redevelopment Project.
Comments:	1. Mr. Bob Firehock of the SFRA advises that a feasibility study is required pursuant to the California Community Redevelopment Law. The DPW indicates that with respect to this Proposed Survey Area, the feasibility study is intended to reveal whether or not the proposed site contains potentially hazardous substances that would be associated with the removal of fuel storage tanks from a closed gas station on the Proposed Survey Area as well as unknown soil conditions. 2. Mr. Firehock advises that the cost of conducting the required feasibility study of the Proposed Survey Area is estimated not to exceed $25,000. SFRA indicates that the $25,000 for the feasibility study is included in a proposed budget amendment which has been submitted to the Board of Supervisors.

Recommendation: Approval of the proposed resolution is a policy matter for the Board of Supervisors.

Harvey M. Rose

cc: Supervisor Migden
Supervisor Maher
Supervisor Shelley
President Alioto
Supervisor Achtenberg
Supervisor Bierman
Supervisor Conroy
Supervisor Hallinan
Supervisor Hsieh
Supervisor Kaufman
Supervisor Kennedy
Clerk of the Board
Chief Administrative Officer
Controller
Teresa Serata
Barbara Kolesar
Ted Lakey

EXHIBIT A



BASIS OF SURVEY

MONUMENT MAP NO. A-16-79, DATED MAY 22, 1934.
ON FILE IN THE OFFICE OF THE CITY ENGINEER.

▨ : the Site

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CALENDAR
REGULAR MEETING
HOUSING AND LAND USE COMMITTEE
BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

THURSDAY, APRIL 1, 1993 - 10:00 a.m. City Hall, Room 228

Members: Supervisors Migden, Maher, Shelley

Clerk: Joni Blanchard

CONSENT CALENDAR

1. All matters listed hereunder constitute a Consent Calendar, are considered to be routine by the Housing and Land Use Committee, and will be acted upon by a single roll call vote of the Committee. There will be no separate discussion of these items unless a member of the Committee or a member of the public so requests, in which event the matter shall be removed from the Consent Calendar and considered as a separate item.

   a. File 18-93-2. [Stop Intersections] Recommending establishment of Stop intersections at various locations; DPT Order No. 381. (Dept. of Parking & Traffic)

      STOP SIGNS - ESTABLISH

      Wawona Street and 46th Avenue, southwest corner, stopping eastbound Wawona Street (makes this an all-way STOP).

      Mabini and Folsom Streets, southeast corner, stopping northbound Mabini Street (stops the stem of this T-intersection).

      Lapu Lapu and Harrison Streets, northwest corner, stopping southbound Lapu Lapu Street (stops the stem of this T-intersection).

b. File 19-93-2. [Parking Regulations] Recommending establishment and revocation of parking regulations at various locations; DPT Order No. 381. (Dept. of Parking & Traffic)

NO PARKING ANY TIME - ESTABLISH

Edgehill Drive, west side, from the south property line of 113 Edgehill Drive to approximately 106 feet southerly (extends existing NO PARKING ANY TIME zone).

NO PARKING ANY TIME - REVOKE

TOW-AWAY, NO STOPPING ANY TIME - ESTABLISH

Kissling Street, north side, from 11th Street to the east terminus.

TOW-AWAY, NO PARKING ANY TIME - ESTABLISH

Bellair Place, both sides, between Chestnut and Pfeiffer Streets.

PERPENDICULAR (90-DEGREE ANGLE) PARKING - REVOKE

De Haro Street, east side, between 15th and 16th Streets.

De Haro Street, west side, approximately 280 feet northerly from Alameda Street.

PERPENDICULAR (90-DEGREE ANGLE) PARKING - ESTABLISH

De Haro Street, east side, between 16th and 17th Streets.

65-DEGREE ANGLE PARKING - ESTABLISH

Raycliff Terrace, north side, from 7 feet to 33 feet east of west property line of 45 Raycliff Terrace (legalizes existing parking condition).

45-DEGREE ANGLE PARKING - ESTABLISH

De Haro Street, west side, approximately 280 feet northerly from Alameda Street.

c. File 20-93-2. [Traffic Regulations] Recommending establishment and revocation of traffic regulations, various streets; DPT Order No. 381. (Dept. of Parking & Traffic)

NO TURN ON RED - ESTABLISH

Mission Street, southbound, at Richland Avenue.

Alemany Boulevard, northbound at Huron and Ottawa Avenues.

Washington Street, westbound, at Montgomery Streets.

TOW-AWAY, NO STOPPING 3 P.M. TO 6 P.M. - REVOKE
TOW-AWAY, NO STOPPING 3 P.M. TO 7 P.M. - ESTABLISH
Montgomery Street, west side, between Washington and Post Streets.

TOW-AWAY, NO STOPPING 7 A.M. TO 6 P.M. - REVOKE
TOW-AWAY, NO STOPPING 7 A.M. TO 7 P.M. - ESTABLISH
Montgomery Street, east side, between Washington and Post Streets.

TOW-AWAY, NO STOPPING ANY TIME - ESTABLISH
Washington Street, north side, 30 feet west from Jones Street (replaces existing red zone).

ACTION:

REGULAR CALENDAR

2. File 10-93-1. [Permit] Granting revocable permission to Hines Interests Limited Partnership to occupy a portion of the street area at Leidesdorff Street between Halleck and Sacramento Streets with multicolor patterned concrete pavement, planter pots, concrete trash receptacles, fabric banners, banner posts, removable pipe barricades for lunch time closures and other related improvements, and adopting findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

   ACTION:

3. File 34-93-2. [Width of Sidewalk] Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalk" by adding thereto Section 1509 changing the official width of sidewalk on the south side of Mission Street between Third and Fourth Streets as shown on the Department of Public Works Map Numbered Q-20-388; and making findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

   ACTION:

4. File 35-93-1. Hearing to consider re-opening 26th Street, between Treat Avenue and Harrison Street. (Supervisors Conroy, Maher)

   ACTION:

5. File 124-92-12. Hearing to consider issuing parking stickers marked "For Use on Rental Car Only" to residential permit parking area residents who have a valid California Driver's license, do not own a car but rent one. (Supervisor Kennedy)

   ACTION:

6. File 206-92-1. Hearing to consider the Housing Authority's procedure for disbursement of funds to tenant's groups for resident-management training. (Supervisor Kennedy)

   ACTION:

7. File 206-92-3. Hearing to consider the Housing and Urban Development's (HUD) report on the San Francisco Housing Authority. (Supervisor Kennedy)

   ACTION:

Housing & Land Use Committee
Board of Supervisors
City Hall, Room 235
San Frnacisco, CA 94102

IMPORTANT HEARING NOTICE!!!

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CITY AND COUNTY OF SAN FRANCISCO

BOARD OF SUPERVISORS

BUDGET ANALYST
1390 MARKET STREET, SUITE 1025
SAN FRANCISCO, CALIFORNIA 94102 · TELEPHONE (415) 554-7642

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March 30, 1993

TO: Housing and Land Use Committee

FROM: Budget Analyst Recommendations

SUBJECT: April 1, 1993 Housing and Land Use Committee Meeting

Item 2 - File 10-93-1

Department: Department of Public Works (DPW)

Item: Resolution granting revocable permission to Hines Interests Limited Partnership to occupy a portion of the street area at Leidesdorff Street between Halleck and Sacramento Streets with multicolor patterned concrete pavement, planter pots, concrete trash receptacles, fabric banners, banner posts, removable pipe barricades for lunch time closures and other related improvements, and adopting findings pursuant to City Planning Code Section 101.1.

Description: The proposed resolution would grant permission to Hines Interests Limited Partnership to encroach upon a portion of City property consisting of a portion of Leidesdorff Street between Halleck and Sacramento Streets for the purpose of creating pedestrian improvements. The subject pedestrian improvements in the public right-of-way would partially satisfy the open space requirements in Planning Commission Motions Nos. 11072 and 11076 concerning project development located at 343 Sansome Street.

The Board of Supervisors may revoke the proposed permission at will. In addition, permission would automatically be terminated if Hines Interests Limited Partnership failed to continue insurance protection for the encroachment. The permission would not become effective until Hines Interests Limited Partnership has executed a street encroachment agreement and until the Controller has reviewed Hines Interests Limited Partnership's insurance policy for the encroachment.

Under the proposed resolution, the Board of Supervisors would reserve the right to charge Hines Interests Limited Partnership a recurring rental fee for the encroachment on public property. In addition, Hines Interests Limited Partnership would be responsible for procuring the necessary permits and paying for the necessary permit and inspection fees before starting work. Hines Interests Limited Partnership would also assume all costs, including maintenance and repairs associated with the encroachment, as well as any removal or relocation expenses. There are to be no costs incurred by the City.

Comments:

1. The City Planning Commission has declared that the project intended by the encroachment is consistent with the eight priority policies of City Planning Code Section 101.1.

2. As noted above, the Board of Supervisors would reserve the right to charge Hines Interests Limited Partnership a recurring rental fee for the encroachment on public property. According to Ms. Denise Brady of the DPW, no recurring rental fee has yet been established for encroachment of this nature. Once the feasibility of rent has been established, the policy for charging such rent and the mechanism for implementing the policy would require Board of Supervisors approval before any rent for encroachment could be charged.

3. As of the writing of this report, the DPW has no specific timetable for the implementation of a recurring rental fee. Ms. Brady reports that the subject of such recurring rental fees was previously considered by the Board of Supervisors' Public Works Committee in 1989 and, at that time, was rejected. Since that initial rejection, Ms. Brady advises that the Department has, in the course of the Department's annual budget process, raised the subject of implementing such fees. According to Ms. Brady, while the Department believes that charging a recurring rental fee has merit, it recognizes that certain policy issues would have to be resolved, since establishing such a charge could potentially affect a wide range of encroachments City-wide, including certain underground basements. The DPW has not, as yet, developed an estimate of the amount of revenue that could be generated in connection with a recurring rental fee.

4. Ms. Brady states that Hines Interests Limited Partnership has executed a street encroachment agreement and that

DPW held a public hearing on June 19, 1992, on the proposed encroachment and no objections were made to the project.

5. Ms. Brady advises that Hines Interests Limited Partnership has paid to the City a permit processing fee of $800.

Recommendation: Approve the proposed resolution.

Item 4 - File 35-93-1

Department: Department of Parking and Traffic (DPT)

Item: This item is a hearing to consider the reopening of 26th Street between Treat Avenue and Harrison Street, in accordance with Board of Supervisors Resolution No. 823-90 (File 35-90-1).

Description: In 1969, the Board of Supervisors authorized the closure of 26th Street between Treat Avenue and Harrison Street (Resolution No. 149-69). In 1990, the Board of Supervisors adopted Resolution No. 823-90 which rescinded the previous resolution and urged the Chief Administrative Officer (CAO) to request that the Director of Public Works review rededicating 26th Street between Harrison Street and Treat Avenue.

The existing closure on 26th Street between Treat Avenue and Harrison Street, involves the west half of the block, and is effected by concrete islands and removable bollards (for emergency vehicle access). The closed area of 26th Street is currently used as a basketball court. The east half of the block is accessible from Harrison Street and provides access to the Bernal Dwellings' (public housing facility with 208 units) parking area. Eastbound traffic on this half block is controlled by STOP signs. There is also a parking strip on the east half of the block. With the current closure, 26th Street and Treat Avenue meet in an L-shaped intersection which is not controlled by STOP signs or stoplights (see area map attached).

The DPT reports that the reopening of 26th Street between Treat Avenue and Harrison Street would be of general benefit to the area. The DPT advises that traffic volumes on 26th Street between Folsom and Treat and on Treat between 26th and 25th are excessive and could be diverted by as much as 25 percent if the reopening of 26th Street were to occur. The DPT also states that its continual response to the citation and towing of vehicles illegally parked at the L-shaped intersection of 26th Street and Treat Avenue represent a drain on its parking enforcement resources. Lastly, the DPT notes that emergency vehicle response time should also be improved with the removal of illegally parked vehicles at this location.

The San Francisco Police Department (SFPD) reports that there are public safety benefits to reopening the proposed intersection. The SFPD advises that the corner of 26th Street and Treat Avenue northbound is dangerous because it is a sharp turn. The SFPD advises that as a result of this dangerous L-shaped intersection, there has recently been a death of a motorist at the corner. Additionally, Sergeant Art Borges of the SFPD reports that reopening 26th Street may deter illegal activities (drugs) due to the increase of traffic in the area. The SFPD reports that it supports re-opening 26th Street between Treat Avenue and Harrison Street.

The San Francisco Housing Authority reports that it does not support reopening 26th Street. Ms. Del Price of the Housing Authority advises that the Housing Authority supports the opinion of the majority of its residents at the Bernal Dwelling that do not want the street reopened for child safety reasons. The Housing Authority advises that resident children are currently able to safely play on and/or cross the closed section of the street (the basketball court) which is the main link between the Bernal Dwellings and Garfield Square Park.

The DPT states that if 26th Street is reopened between Treat Avenue and Harrison Street, the following additional modifications will be required to enhance traffic and pedestrian safety at this intersection:

Installation of Four STOP Signs ($100 each)	$400
Crosswalk Stripping	500
Total	$900

Mr. Bond Yee of the DPT reports that this funding is included in the 1992-93 DPT budget.

The DPT and the DPW both report that it has not, as yet, been determined which Department would be responsible for funding the costs of reopening 26th Street if that is the decision of the Board of Supervisors. The DPT suggests that it should be funded in a multi-jurisdictional manner (including DPT, SFPD, DPW, and the Housing Authority), to be decided upon by the Board of Supervisors.

Mr. John Cribbs, Director of the Department of Public Works (DPW), estimates that the cost (in addition to the costs totalling $900 estimated by DPT above) to re-open the intersection of 26th Street and Treat Avenue, regardless of the Department(s) to fund the reopening, would be as follows:

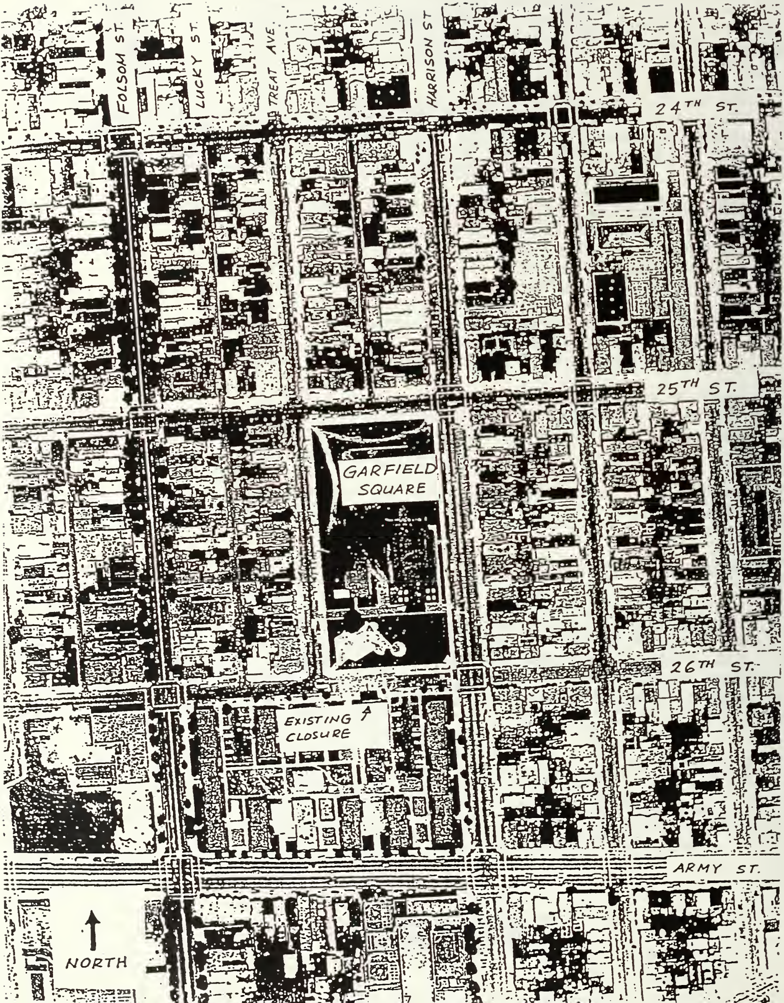
Removal of bollards and fill holes with pavement	$17,000
Installation of curbs	5,000
Extension of parking strip	10,000
Removal of basketball court and repavement	15,000
Installation of sidewalks	12,000
Total	$59,000

Mr. Cribbs advises that the City may wish to simply remove the bollards and fill in the remaining holes with pavement rather than incur all of the above expenses. He suggests that this is a policy decision for the Board of Supervisors.

Recommendation: Approval of the proposed resolution is a policy matter for the Board of Supervisors.

BOARD OF SUPERVISORS
BUDGET ANALYST

Attachment


FOLSOM ST
LUCKY ST
TREAT AVE
HARRISON ST
24TH ST.
25TH ST.
GARFIELD SQUARE
26TH ST.
EXISTING CLOSURE
ARMY ST.
NORTH

Item 6 - File 206-92-1

Note: This item was continued at the December 8, 1992 Economic and Social Policy Committee Meeting.

1. This item is a hearing to consider the San Francisco Housing Authority's procedure for disbursements of funds to tenant groups for resident-management training.

2. According to the Housing Authority, Technical Assistance Grants providing resident-management training funds are allocated to Resident Associations (tenant groups) directly by the Department of Housing and Urban Development (HUD). The Housing Authority exercises no control over these funds. Resident Associations can submit applications to HUD for funding on the following two levels: (1) an initial "mini-grant" ($40,000), which would be used by the Resident Associations to provide training for the formulation, creation, and development of a board to take on management responsibilities and (2) a supplemental grant ($60,000), which would be used for additional training to assist the Resident Associations to implement their on-going management plans.

3. In 1991, two Resident Associations, Alemany and Hunters View, received $40,000 Technical Assistance Grants from HUD. Three other Resident Associations, Holly Court, Sunnydale, and Robert B. Pitts, did not receive Technical Assistance Grants from HUD. Mr. Gilmore, Director of the Housing Authority, has stated that the Housing Authority has an interest in supporting all five Resident Associations in their efforts to establish resident-management of their respective housing developments. As such, Mr. Gilmore advised that the Housing Authority, in the Fall of 1991, made a commitment to provide $40,000 each to Holly Court, Sunnydale and Robert B. Pitts for a total of $120,000, in order to permit these Resident Associations to proceed with their plans to acquire resident-management training for the formulation and development of a board to assume management responsibilities.

4. In 1992, the Robert B. Pitts Resident Association received a $40,000 Technical Assistance Grants from HUD. Also in 1992, the Housing Authority awarded a $40,000 Comprehensive Improvement Assistance Program grant each to the Sunnydale and the Holly Courts Resident Associations for resident-management training.

5. Mr. Gilmore reports that once the Resident Associations have completed their training and have viable management organizations in place, the Housing Authority would contract with these Resident Associations to manage their respective housing developments, thereby removing the Housing Authority from its responsibility for the day-to-day operations management of these housing developments. However, the Housing Authority would continue to maintain oversight responsibility for these housing developments.

6. The Housing Authority reports that both the Alemany and Hunters View Resident Associations have been incorporated as non-profit organizations. The Holly Court, Sunnydale, and Robert B. Pitts Resident Associations are in the process of obtaining non-profit incorporation status.

BOARD OF SUPERVISORS
BUDGET ANALYST

Item 7 - File 206-92-3

Note: This item was continued at the December 8, 1992 Economic and Social Policy Committee Meeting.

1. This is a hearing to consider the Housing and Urban Development's (HUD) report on the San Francisco Housing Authority.

2. On September 10, 1992, the Regional Inspector General for Audit (RIGA), U. S. Department of Housing and Urban Development (HUD) issued an audit report on the San Francisco Housing Authority (SFHA) as part of a multi-regional external review of "troubled" Public Housing Agencies (PHAs). The audit report was submitted to HUD's Acting Regional Administrator-Housing Commissioner. "Troubled" PHAs are determined by HUD as a result of scoring less than 60 percent under HUD's Public Housing Management Assessment Program (see Comment 1).

3. The objective of HUD's audit was to determine whether SFHA is administering its public housing activities in an efficient, effective, and economical manner, and is in compliance with the terms and conditions of its Annual Contributions Contract, applicable laws, HUD regulations, and other applicable directives. The Annual Contribution Contract is SFHA's contract with HUD to subsidize the operations and maintenance of City public housing projects and related housing subsidy programs.

4. The Regional Inspector General for Audit (RIGA) found seven areas in which the SFHA needed to make various improvements in its operations. According to the audit report, these areas included:

- the accuracy of SFHA's FY 1991 Public Housing Management Assessment Program (PHMAP) certification and related score which determines whether the SFHA will be classified as a "financially troubled" or "standard performer" agency. For several of the indicators, the SFHA data was not always reliable and, therefore, the SFHA scoring was higher than warranted. RIGA found a lack of verifiable and documented systems to support SFHA data on vacancies, vacant unit turn around time, unit inspections and improper reporting of rents uncollected;

- SFHA did not administer its maintenance program and maintain its public housing units in accordance with HUD's Standards/Requirements. Based on a sample of 103 public housing units, RIGA found 90 or 87 percent not meeting HUD's Housing Quality Standards (HQS). RIGA also found maintenance program problems regarding SFHA use of skilled craftsmen, making emergency repairs, monitoring staff overtime and canceling over 17,000 outstanding work orders without fully ensuring the repairs were no longer required;

- SFHA did not maintain complete and accurate books of accounts and some accounting procedures and controls were questionable. These included allocating salaries to programs on a questionable basis and possessing insufficient records identifying sufficient funds in its low-income Public Housing Program account for tenants' security deposits. Thus, RIGA concluded that SFHA's financial books, records and costs are less than reliable resulting from SFHA's "disregard" for HUD requirements and lack of staff knowledge and training;

- SFHA used project operating funds for unnecessary, unreasonable, and ineligible expenses. These expenses totaled $191,846 over the three year period from May 1989 to May 1992;

- SFHA's tenant selection and management practices need to be improved. The SFHA did not: (a) afford eligible applicants on its waiting list the rightful opportunity to occupy available housing units; (b) transfer about 30 percent of its residents as a result of over/under crowding of housing units or health and safety concerns, (c) collect timely rents and evict tenants for nonpayment of some rents and (d) collect additional income due from tenants for repairs, excess utility usage and late rents;

- SFHA's personnel practices need to be improved by using adequate comparability data to support administrative salaries, complying with HUD guidelines for administrative staff size and obtaining HUD approval for payment of compensation or fees to Commission members. These stem from questionable salary standards and hiring practices and lack of due consideration of HUD guidelines. Thus, there are no assurances that SFHA salaries are justified and not excessive; and

- SFHA did not follow some required procurement practices. Specifically, the SFHA (a) lacked adequate internal controls over contract administration, (b) did not maintain proper supporting documentation for quotes on small purchases and sole source procurements, and (c) did not maintain a complete or current contract log. RIGA attributed these deficiencies primarily to the SFHA noncompliance with established procurement policies and procedures and the lack of an effective internal control system.

5. SFHA generally disagreed with all of the RIGA audit findings and stated that the audit lacked a factual basis for its conclusions. Further, SFHA indicated that the audit did not objectively portray SFHA's performance and recognize the significant improvements made during the last three years.

6. The RIGA audit recommended that HUD's San Francisco Regional Office (SFRO) require the SFHA (1) to develop a formal plan to address the findings in the report and submit the plan to the SFRO for approval and (2) closely monitor SFHA's efforts in developing and implementing a plan to address all seven findings.

7. RIGA has requested that the HUD SFRO advise RIGA within 60 days on the status of actions to be taken by the SFHA on the audit findings. A status report for each of the audit findings should include: the corrective action taken, the proposed corrective action and the date for its completion and/or why action is not needed.

Comments

1. On April 16, 1992, during the course of the audit investigation, HUD reclassified SFHA from "financially troubled" to a "standard performer" under HUD's Public Housing Management Assessment Program (PHMAP), the subject of the first finding listed under Point No. 4 above. The reclassification was based on SFHA scoring a 69.2 percent (152.28 graded points out of a maximum score of 220 points) in HUD's PHMAP which was later revised downward to 68.09 percent by HUD SFRO. Public Housing Authorities scoring between 60 and 90 percent may be designated "standard", while those scoring less than 60 percent may be designated as "troubled". In the subject audit, the RIGA staff scored the SFHA at 54.0 percent (118.78 graded points) which would have placed the SFHA in the "troubled" category. Thus, there was disagreement between HUD's Regional Office and HUD's independent Office of the Regional Inspector General for Audit (RIGA) as to whether the SFHA was a "standard" or "troubled" agency. "Standard" performers under PHMAP are subject to standard HUD review and monitoring requirements in contrast to the more rigid HUD oversight and reporting requirements applicable to public housing authorities designated as "troubled" agencies. The scoring was related to SFHA data for the Federal fiscal year ending September 30, 1991.

2. Mr. Joseph Schiff, HUD's Assistant Secretary for Public and Indian Affairs, has instructed HUD's regional staff not to return the SFHA to the "troubled" category, but instead to focus their efforts to the next annual PHMAP certification that would review appropriate SFHA data for the Federal fiscal year ending September 30, 1992. According to Mr. Mike Flow of the HUD SFRO, the next certification review will be completed on March 31, 1993 based on information provided by SFHA by December 31, 1992 and information compiled by the HUD SFRO staff.

3. SFHA Deputy Executive Director for Administration and Finance Carol Wilkins advises that the SFHA has submitted a status report on the subject audit to HUD SFRO on October 22, 1992.

4. Subsequently, on February 24, 1993, the HUD SFRO provided the SFHA a status report on the RIGA audit advising the SFHA that 64 of the 69 recommendations associated with the Audit's seven findings remained outstanding (see Attachment). In that regard, the HUD SFRO advised the SFHA of three subsequent deadlines (March 30, 1993, May 30, 1993 and October 30, 1993) to either provide additional documentation or comply with the necessary corrective actions for these 64 recommendations.

5. Further, in its letter of February 24, 1993, the HUD SFRO advised the SFHA that five recommendations had been satisfactorily completed by the SFHA. (The HUD SFRO advised the Budget Analyst that a sixth recommendation, Recommendation 4A, continues to be pending). The recommendations (1A, 1B, 5D, 6G and 6H) successfully completed by the SFHA include:

- A review of the results of the SFHA's PHMAP performance has determined that the SFHA should not be redesignated as a "troubled"

Public Housing Authority (PHA) for FY 1991 on the basis of the RIGA audit (Recommendation 1A);

- The SFHA does not need to submit additional or more reliable data to support its PHMAP performance for FY 1991 (Recommendation 1B). (See Comment No. 2 above);

- The SFHA is satisfactorily providing the HUD SFRO quarterly reports showing their actual progress and accomplishments in completing all necessary transfers of tenants to appropriate units (Recommendation 5D); and

- The SFHA has submitted proper documentation justifying its policy for paying its Commission members to attend meetings and therefore, the repayment of $8,400 to Commission members is not required (Recommendations 6G and 6H).

6. On September 15, 1992, Mr. John Connors, Acting HUD Inspector General advised that HUD had "initiated a criminal investigation" related to claims that the SFHA provided Federal inspectors with unsupported and unreliable data while the subject audit was conducted. Mr. Richard Fix, Regional Inspector General for Investigations, advises that the criminal investigation has been completed with no findings requiring further action by the U. S. Department of Justice.

7. The Board of Supervisors has directed the Budget Analyst to conduct a comprehensive management audit of the San Francisco Housing Authority. That management audit is underway and is expected to be competed in August 1993.

Harvey M. Rose

cc: Supervisor Migden
Supervisor Maher
Supervisor Shelley
President Alioto
Supervisor Achtenberg
Supervisor Bierman
Supervisor Conroy
Supervisor Hallinan
Supervisor Hsieh
Supervisor Kaufman
Supervisor Kennedy
Clerk of the Board
Chief Administrative Officer
Controller
Teresa Serata
Barbara Kolesar
Ted Lakey

U.S. Department of Housing and Urban Development

San Francisco Regional Office, Region IX
450 Golden Gate Avenue
San Francisco, California 94102-3448

FEB 24 1993

Mr. David Gilmore
Executive Director
San Francisco Housing Authority
440 Turk Street
San Francisco, CA 94102

Dear Mr. Gilmore:

SUBJECT: San Francisco Housing Authority
Low Income Public Housing Program
RIGA Audit No. 92-SF-201-1009
Issue Date: September 10, 1992

This responds to your letter received in our office October 22, 1992, and confirms a discussion between Larry Tipton and Debbie McDaniel regarding the captioned audit report and the status of the findings and recommendations contained in the audit. Three action dates have been established for the housing authority to either provide additional documentation or comply with the corrective action called for. Recommendations 1A, 1B, 4A, 5D, 6G and 6H have been closed. All other Recommendations will remain open pending further action by the authority.

The following recommendations have an action date of March 30, 1993:

Recommendation	Information Required
1C	The Management Division will conduct a confirmatory review of the housing authority's PHMAP certification to ensure the authority is aware of the criteria and the type of data required to support its PHMAP performance.
1D	(See 1C above)
2A	Provide for our review a listing of firms qualified to provide HQS training to appropriate authority staff to ensure that staff have received adequate training to perform HQS inspections. Our expectation is that the authority will obtain additional HQS training during the current fiscal year. This is particularly true since authority

staff expressed to RIGA their basic unfamiliarity with HQS standards. If training has occurred, the housing authority should provide documentation that the appropriate staff have either been trained or will receive formal training in the foreseeable future. In addition, the authority should provide the training source(s) used and evidence that your staff successfully completed the training course(s).

2D Provide for our review and approval a detailed maintenance staffing plan that contains an appropriate mix of skilled, semi-skilled and trainee craftsmen to ensure that all units comply with HQS and that all repairs are completed within a reasonable time frame. Your plan should be developed in accordance with the guidance detailed in Chapter 2 of HUD Handbook 7460.7 REV-1. Based on your current backlog of work orders, the authority's current staffing plan appears to be inadequate.

2E The Management Division will conduct a field monitoring review of the housing authority's quality control process to ensure that the Maintenance Foreman is conducting quality control inspections of completed work items. We will also be reviewing your unit inspection reports and resident complaints to ensure that repair items are appropriately followed up within a reasonable time frame.

2F Provide our office with a list of the types of maintenance items that constitute an emergency.

2G Provide our office with your written assurances that you will cease arbitrarily canceling outstanding work orders without verifying that the repairs have been properly completed, and with evidence that you have an appropriate system for tracking the true status of each work order.

2I Provide for our review a copy of your procedures and documentation concerning your internal controls for ensuring that non-emergency repairs are completed during regular working hours.

2L Our office will conduct a field monitoring review of the housing authority's maintenance process to ensure that the authority responds promptly to emergency requests.

4D Provide for our review documentation regarding the cost of typical vehicles provided to comparable City and County officials and the vehicles' average monthly operating costs for local business travel. (Also see 4E)

4H The housing authority should immediately discontinue its practice of granting staff paid time off and establish an administrative leave policy that is comparable to and based on local policies and procedures. Please forward for our review and approval your draft policy including the supporting documentation from the City and County of San Francisco.

4L Provide your written assurances that the housing authority will discontinue its practice of using Federal funds to pay unallowable entertainment costs.

4M Provide for our review and approval your draft administrative policy which prohibits the payment of entertainment expenses from Federal operating subsidy funds. (See 4L above)

5A Adopt and implement a tenant selection process that fully meets HUD's requirements relating to the housing authority's administration of the waiting list, transfer of over/underhoused tenants, VCA transfers, and transfers related to the witness protection program and/or other adverse health and safety conditions. (also see 5C)

5B (See 5A above)

5C Take prudent actions to transfer tenants to appropriate units as detailed in the RIGA audit. In addition to this being a recommendation of the audit, this issue was brought to your attention by our letter dated June 17, 1992. We strongly recommended that the housing authority develop a local policy providing for immediate relocation of families in cases involving witness relocation or a life-threatening situation.

Currently, the authority does not have an effective policy which can provide an immediate remedy in cases involving exigent circumstances as noted above. Your present policy of relocating families to the first available appropriate public housing unit has been insufficient to provide an appropriate remedy in such cases and is not always the most effective method for removing a family from a genuine threat of physical danger. There are no HUD restrictions preventing the authority from changing the form of assistance and providing alternative Section 8 rental subsidy assistance in appropriate cases.

5E Please implement your "eviction tracking system" and provide a report to our office detailing your rent collection and eviction activity.

The following activities should be reported:

1. The number of delinquent tenants who who have been behind in their rent for more than 30 days for the past 6 months;
2. The overall period of delinquency for each of these tenants;
3. The action(s) taken by the authority to resolve the delinquency or evict the resident, including:
    a. The date of the 3-day Notice, and resulting action by the tenant and/or housing authority;
    b. The date of the 30-day Notice, and resulting action by the tenant and/or housing authority; and
    c. Other follow-up activity by the housing authority.

5F Provide a report detailing your internal controls for ensuring staff compliance with your rent collection procedures.

5G Provide a copy for our review and approval of your draft policy to garnish the wages/salaries or to evict housing authority employees who are delinquent in their rent payments. Also, please provide an up-to-date report of all resident housing authority employees and the current status regarding their rent paying habits.

5I Provide our office with a copy of your agreement with the Mayor's Office for replacing Tenant

Commissioners who become delinquent in their rent and a copy of your internal controls for preventing a delinquent tenant from being appointed to the Board of Commissioners in the first place.

5J	Provide our office with documentation regarding the implementation of your existing procedures for charging your tenants for tenant-caused damages.
6D	Submit a detailed assessment of your staffing needs, including your maintenance plan as specified in Recommendation 2D.
6E	Provide assurances that the housing authority is adhering to its internal policies and procedures regarding starting salary levels for new employees and that you will submit written justifications for the Board's approval before hiring at levels above the minimum salary range.
7A	Establish an effective system of internal controls over contract administration. HUD will review and make a determination as to whether the authority has established an effective system of internal controls over contract administration. We will also review the data submitted to RIGA by the authority.
7B	Provide our office with the results of your reassessment of your practice of using contract monitors in overseeing contracts where they are closely involved in the selection process or service area.
7E	Implement and provide our office with a copy of your procurement register listing all sole source procurement along with your written justifications.
7F	Provide our office with a copy of your MMU report listing all contracts currently in force.
7G	Provide our office with a copy of your updated contract log maintained by your Finance Department and your written assurance that the housing authority is performing monthly desk audits.

The following recommendations have an action date of May 30, 1993:

2H Issue a general notice to your residents and provide our office with a copy which includes specific language regarding your previous cancellation of the 17,000 work orders notifying them of the appropriate procedure for reporting maintenance complaints.

2J Provide copies of the Board of Commissioners resolutions approving the maintenance work order system and the policy governing resident admission and continued occupancy.

3A Provide our office with your comprehensive Financial Management Improvement Plan which will address the serious accounting and internal control deficiencies detailed in RIGA's audit.

3D Operate the Revolving Fund as prescribed by Section 401 (D) of the ACC. Federal regulations prohibit the shifting of funds between different programs by borrowing from one program to overcome fund deficiencies of another. Your justification regarding the housing authority's practice of borrowing from one program to pay fund deficiencies in another program is invalid. Section 401(D) pertains to monies borrowed and deposited into the General Fund to pay for Low Rent or Conventional housing costs. HUD will also conduct a review of the authority's Revolving Fund to ensure that it is being operated in accordance with the ACC.

3E Provide documentation that the housing authority has established and implemented controls to ensure disbursement vouchers are fully supported and reviewed by a designated approving official prior to making disbursements.

3F Curtail the use of manual checks, or ensure they are issued only for emergency purposes. HUD will also conduct a review of the authority's use of manual checks to ensure that the practice has been curtailed, or that they are issued only for emergency purposes.

3G Provide documentation that the housing authority has deposited $1,017,917 in funds related to tenants security deposits, and any subsequent amounts to a separate account.

3H Provide our office with the results of your review of tenant accounts with credit balances and provide our office with documentation that the appropriate adjustments have been made.

3I Provide our office with the results of your legal review regarding this matter, your negotiations with the State Controller's office regarding the amount due and any documentation that the appropriate amount has been remitted to the State Controller's office.

3J Provide documentation that your procedures satisfy the State's Unclaimed Property law (Code of Civil Procedure, Article 2, Section 1519) which requires government agencies that maintain tangible personal property (security deposits of vacated tenants) in accounts that have remained unclaimed for more than three years to remit such money to the State by November 1 of each year.

4A Provide a plan for our review and approval regarding the intended future use of the Golden Gate and Egbert Street sites. The authority should consider alternative uses for the Egbert property such as relocating functions from 440 Turk Street so the Golden Gate location can be closed, and/or renting excess space at the Egbert site to a third party rather than permitting so much space to remain vacant for an extended period of time.

4B Provide for our review and approval an amended employment agreement for the Executive Director, consistent with local practice regarding provisions concerning retirement contributions, vehicle use and annual leave. In addition, please provide the documentation used by the housing authority as a basis for drafting of the amended agreement.

4C Provide documentation that the housing authority has obtained reimbursement from the Executive Director for the $25,004, plus interest, that the authority paid on his behalf to the Public Employee Retirement System and all similar payments plus interest made after June 17, 1992. If reimbursement is not obtained from non-Federal funds by the action date, an amount equal to the total expressed above will be withheld from your Operating Budget for your Low Rent program for FY 1994.

4E HUD will make a determination regarding the vehicle lease after reviewing the documentation provided by the housing authority requested for Recommendation 4D.

4F Revise your personnel policy and delete the provision authorizing administrative leave in lieu of monetary compensation to recognize certain employees for their extraordinary efforts and commitments. The administrative leave policy should be based on comparable policies of the City and County of San Francisco.

4G Provide documentation that the housing authority has reimbursed its General Fund from non-Federal monies for the $9,926 in unjustified paid staff time off and the Executive Director's non-housing authority travel costs. If reimbursement is not obtained from non-Federal funds by the action date, an amount equal to the total expressed above will be withheld from your Operating Budget for your Low Rent program for FY 1994.

4I Provide documentation that the housing authority has collected $2,868 from its employees for union dues, parking tickets and personal long distance telephone calls. If reimbursement is not obtained from non-Federal funds by the action date, an amount equal to the total expressed above will be withheld from your Operating Budget for your Low Rent program for FY 1994.

4J Establish internal controls and provide documentation to HUD which ensures that all employees have paid their union dues, parking tickets, and personal long distance telephone calls.

4K Provide documentation that the housing authority has reimbursed its appropriate operating funds $53,059 for the identified unallowable entertainment expenses and any similar costs incurred since June 1992, from non-Federal funds. If reimbursement is not obtained from non-Federal funds by the action date, an amount equal to the total expressed above will be withheld from your Operating Budget for your Low Rent program for FY 1994.

4N Our office will conduct a field monitoring of your use of operating funds to ensure that these funds are used only for necessary, reasonable and eligible project expenses.

5H Provide documentation that the housing authority has collected all rent owed or taken action to evict the member of the Board of Commissioners who is delinquent in her rent in accordance with the lease agreement.

5M Implement procedures to enforce your lease provisions concerning late charges for tenant's untimely rent payments in accordance with your lease agreements and provide documentation that tenants are paying rent on time or have been assessed a late charge.

7C Our office will conduct a field monitoring of your procurement practices to ensure that the housing authority is preparing written justifications when contractor's services are obtained prior to formal contract selection and award.

7D Provide clarification and assurances that your procurement practices are in compliance with your internal policy regarding the number of solicitations. Although HUD Handbook 7460.8 recommends solicitation from three or more suppliers, particularly in the case of larger purchases, the authority may solicit bids from two or more responsible bidders in accordance with 24 CFR, Part 85.36. You should review your internal policy regarding this issue and revise as necessary. Our office will conduct a field monitoring of your procurement practices to ensure that the housing authority's practices are consistent with its internal policies.

The following recommendations have an action date of October 30, 1993:

2B Implement controls and provide our office with documentation ensuring that all HQS violations are promptly identified and corrected.

2C Implement an effective preventive maintenance program ensuring that all work orders resulting from your PM inspections are completed. We understand that the housing authority receives approximately 3500 new work orders each month, that approximately 1300 work orders are deferred each month, and that there is a current backlog that exceeds 7,000 work orders. We are concerned that the authority may lack the capacity to resolve the backlog of work orders resulting from your PM inspections. Please provide for our review by the action date the following information:

1. Total number of units inspected for PM for the past 6 months;
2. Total number of work orders received for the past 6 months;
3. Total number of deficiencies by unit;
4. Repair status and date of completed repairs by unit; and
5. The number of carry-over repairs per month for the past 6 months.

2K See 2A. No further action is required by the authority at this time.

3B Provide assurances that the housing authority has obtained and provided adequate staff training and provide documentation that the housing authority has instituted appropriate remedial measures to correct the books of account and will maintain complete and accurate records in the future.

3C Cease combining program funds and borrowing from one account to cover fund deficits in another. The housing authority should provide appropriate documentation that it has reconciled its interfund balances and closed out the remaining balances.

3K Develop and implement a HUD approved plan for allocating salary and fringe benefit costs to appropriate programs based on formal accounting records which substantiate the propriety of the costs.

3L HUD will make a determination after reviewing the financial management improvement efforts and will make every effort to ensure that the housing authority improves its accountability over cash and other assets.

5L Prepare for our review and approval your plan for assessing excess utility charges to residents and replacing all vandalized checkmeters. The housing authority relabeled RIGA Recommendation 5L to 5K in your response dated October 22, 1992. RIGA has requested that the 5L designation be retained in order to maintain continuity with internal records.

6A Perform a salary comparability analysis of all your administrative positions ensuring that each position is benchmarked to comparable City and County positions having similar job duties and supervisory responsibilities. Provide your written report for our review and approval.

6B (See 6A above)

6C Implement appropriate salary adjustments based on the approved analysis referred to in 6A above.

6F Provide documentation, such as a revised low rent budget, for our review and approval that the housing authority has sufficient funds to pay salary and fringe benefit costs based on a proper cost allocation plan in accordance with a revised budget.

If you have any questions, please contact Larry Tipton, Housing Management Specialist, at (415) 556-3713.

Very sincerely yours,

Original signed by:
Mike Flo

Myron L. Flo
Director
Management Division

cc: Robert J. Boileau, Chairperson
Board of Commissioners,
San Francisco Housing Authority

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CALENDAR
REGULAR MEETING
HOUSING AND LAND USE COMMITTEE
BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

THURSDAY, APRIL 15, 1993 - 10:00 a.m. City Hall, Room 228

Members: Supervisors Migden, Maher, Shelley

Clerk: Joni Blanchard

CONSENT CALENDAR

1. All matters listed hereunder constitute a Consent Calendar, are considered to be routine by the Housing and Land Use Committee, and will be acted upon by a single roll call vote of the Committee. There will be no separate discussion of these items unless a member of the Committee or a member of the public so requests, in which event the matter shall be removed from the Consent Calendar and considered as a separate item.

   a. File 18-93-3. [Stop Intersections] Recommending establishment of Stop Signs at Casitas and Lansdale Avenue, northeast corner, stopping westbound Casitas Avenue (makes this an all-way STOP); DPT Order No. 388. (Department of Parking & Traffic)

      STOP SIGNS - ESTABLISH
      Casitas and Lansdale Avenue, northeast corner, stopping westbound Casitas Avenue (makes this an all-way STOP).

   b. File 19-93-3. [Parking Regulations] Recommending establishment, extension and revocation of parking regulations at various locations; DPT Order No. 388. (Dept. of Parking & Traffic)

      PARKING METER AREA 3 (1-HOUR PARKING TIME LIMIT, MONDAY THROUGH SATURDAY, 7:00 A.M. TO 6:00 P.M.) - EXTEND
      Beckett Street, west side, between Jackson Street and Pacific Avenue (7 automobile stalls and 7 metered yellow zones).

      Wentworth Street, west side, between Jackson and Washington Streets (7 automobile stalls and 7 metered yellow zones).

      W.U. Lum Place, west side, between Clay and Washington Street (5 metered yellow zones in parking bays).

      NO PARKING ANYTIME - REVOKE
      Clay Street, north side, between Battery and Davis Streets.

      TOW-AWAY, NO PARKING ANYTIME - ESTABLISH
      15th Street, south side, from Folsom Street to 108 feet easterly (108-foot zone, replacing existing red zone with part-time tow-away).

c. File 20-93-3. [Traffic Regulations] Recommending establishment of traffic regulations, various streets; DPT Order No. 388. (Dept. of Parking & Traffic)

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH

Folsom Street, north side, from 11th Street to 20 feet westerly (20-foot zone).

Lucky Street, both sides, between 24th and 26th Streets.

d. File 229-93-1. [Lighting Assessment District] Resolution approving the Engineer's Report prepared and filed by the City Engineer in the formation proceedings for Assessment District No. 92-1, pursuant to Article 4 of Chapter 1 of the Landscaping and Lighting Act of 1972, as adopted by Article 6.1 of the San Francisco Public Works Code for the purposes of installing street lighting in the Sutro Heights District. (Supervisor Maher)

e. File 229-93-2. [Lighting Assessment District] Resolution announcing the intent to undertake to form an Assessment District, pursuant to Article 4 of Chapter 1 of the Landscaping and Lighting Act of 1972, as adopted by the San Francisco Public Works Code for the purposes of installing street lighting in the Sutro Heights District; describing the intended improvements; indicating the location of the proposed assessment district; and giving notice of the time and place for public hearing on the question of the formation of the proposed assessment district and on the levy of the proposed assessment. (Supervisor Maher)

F. File 229-93-3. [Lighting Assessment District] Resolution announcing the formation of Assessment District No. 92-1, for the purposes of installing street lighting in the Sutro Heights District; confirming the diagram and assessments as described in the Engineer's Report; ordering the improvements; and levying the first annual assessment. (Supervisor Maher)

ACTION:

REGULAR CALENDAR

2. File 24-93-1. [Permit] Appealing decision of the Department of Public Works by its letter, dated January 22, 1993, denying Stacey Morrone of AQUA, a Minor Sidewalk Encroachment Permit for property located at 252 California Street to place two planters at the entry to building. (Stacey Morrone of AQUA)

(Consideration continued from 3/18/93)

ACTION:

3. File 97-93-7. [Cost Recovery - Parking and Traffic] Ordinance amending Administrative Code (Temporary Use or Occupancy of Public Streets) by (1) amending Section 2.70-6, to provide for the transfer of the street fair permitting process from the Department of Public Works to the Department of Parking and Traffic, (2) amending Section 2.70-6 to provide for cost recovery for the Parking and Traffic Department for additional parking enforcement and traffic control and related services rendered by the Department of Parking and Traffic for street fairs, and (3) adding Section 2.75-6 providing for the recovery of costs for additional parking enforcement and traffic control and related services rendered by the Department of Parking and Traffic for athletic events; and amending Chapter 10B by adding Sections 10B.16 through 10B.20, providing generally for recovery of costs for additional parking enforcement and traffic control and related services rendered by the Department of Parking and Traffic. (Department of Parking and Traffic)

ACTION:

4. File 124-93-3. [Parking Meters] Ordinance amending Traffic Code Section 203, relating to the denomination of coins and length of parking time allowed at parking meters. (Supervisor Shelley, Kaufman)

ACTION:

5. File 109-93-1. [Rent Ordinance] Ordinance amending the Administrative Code Sections 37.4, 37.7, 37.8 and 37.11A, to provide that petitions for capital improvments, rehabilitation, and energy conservation measures must be filed no later than seven years after the work has been completed, to limit the amount hearing officers may refund and the amount tenants may recover in civil actions for rent overpayments resulting from null and void rent increases except in cases of rent overpayments being made in bad faith by the landlord, and to change the title of executive secretary to executive director. (Residential Rent Stabilization and Arbitration Board)

(Rereferred to Committee 3/22/93)

ACTION:

6. File 75-92-4. Hearing to consider renaming Fitch Street to Arelious Walker Drive. (Supervisor Kennedy)

ACTION:

7. File 262-92-1. [Saint Francis of Assisi Church] Resolution urging preservation of the Saint Francis of Assisi Church. (Supervisor Alioto)

ACTION:

8. File 200-93-1. Hearing to consider the repavement project on 14th Street, near Church Street. (Supervisor Kaufman)

ACTION:

Economic Vitality & Social Policy Committee
Housing & Land Use Committee
Board of Supervisors
City Hall, Room 235
San Francisco, CA 94102

IMPORTANT HEARING NOTICES!!!

D 0152

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CITY AND COUNTY OF SAN FRANCISCO

BOARD OF SUPERVISORS

BUDGET ANALYST
1390 MARKET STREET, SUITE 1025
SAN FRANCISCO, CALIFORNIA 94102 • TELEPHONE (415) 554-7642

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April 13, 1993

TO: Housing and Land Use Committee

FROM: Budget Analyst Recommendations

SUBJECT: April 15, 1993 Housing and Land Use Committee Meeting

Items 1d, 1e, and 1f - Files 229-93-1, 229-93-2, and 229-93-3

Items: The three proposed resolutions all relate to forming Assessment District No. 92-1 for the purpose of paying for the costs to be advanced by the City to install street lighting powered by underground electrical wires within the Sutro Heights District. These costs which would initially be advanced by the Hetch Hetchy Capital Improvement budget would be recovered by assessing the property owners that are benefited by the new street lights.

File 229-93-1 (Item 1d) is a resolution approving the Engineer's Report prepared and filed by the City Engineer in the formation proceedings for Assessment District No. 92-1, pursuant to Article 4 of Chapter 1 of the Landscaping and Lighting Act of 1972, as adopted by the San Francisco Municipal Code (Public Works Code) for the purposes of installing street lighting in the Sutro Heights District.

File 229-93-2 (Item 1e) is a resolution announcing the intent to undertake to form an Assessment District, pursuant to Article 4 of Chapter 1 of the Landscaping and Lighting Act of 1972, as adopted by the San Francisco Municipal Code (Public Works Code) for the purposes of installing street lighting in the Sutro Heights District; describing the intended improvements; indicating the location of the proposed assessment district; and giving notice of the time and place for public hearing on the question of the formation of the proposed assessment district and on the levy of the proposed assessment.

File 229-93-3 (Item 1f) is a resolution announcing the formation of Assessment District No. 92-1, for the purposes of installing street lighting in the Sutro Heights District; confirming the diagram and assessments as described in the Engineer's Report; ordering the improvements; and levying the first annual assessment.

Description: In September of 1992, the Board of Supervisors adopted Ordinance No. 285-92 (File 52-92-5) creating Underground District No. 317 in the Sutro Heights District of San Francisco for the purposes of undergrounding the electrical and other utility poles, structures, and wires in the District. Underground District No. 317 is located in the Sutro Heights District in the area roughly bounded by 48th Avenue, Sutro Heights Avenue, Geary Boulevard, 47th Avenue, and Anza Street (See Attachment I). Ordinance No. 285-92 included findings that the undergrounding of electrical and other utility poles, structures, or wires within Sutro Heights District is in the general public interest by eliminating a heavy concentration of overhead wires in a scenic area.

The utility companies (Pacific Gas and Electric Company (PG&E), Viacom, and Pacific Bell) would provide funds for undergrounding their facilities in the District. Concurrent with adopting Ordinance No. 258-92, the Board of Supervisors adopted Resolution No. 758-92 (File 52-92-5.1) determining to undertake proceedings to form Assessment District No. 92-1, for the purpose of providing financing for the City's costs of the street lighting project powered by underground electrical wires (associated with the relocation of existing street lighting). The financing for this particular street lighting project differs from previous street lighting projects in that the City's costs can no longer be paid with Street Lighting Bond funds since funds are no longer available from Street Lighting Bond funds. This would then be the first instance in which a landscaping and lighting assessment district has been formed for the purpose of financing a street light replacement project.

Resolution No. 758-92 designated the City Engineer to serve as engineer for the assessment district formation proceedings, and authorized the Department of Public Works (DPW) to obtain and file with the Clerk of the Board of Supervisors an Engineer's Report for the formation proceedings.

DPW has submitted the Engineer's Report and Plans and Specifications for the Proposed Sutro Heights Assessment District No. 92-1. The Engineer's Report contains the latest cost estimates, engineering plans and specifications, and a section requested by the Board of Supervisors on deferring the assessment costs for senior citizens. File 229-93-1 (Item 1d) is a proposed resolution that would find that the Engineer's report describes (1) the improvements to be made in the proposed Assessment District No. 92-1, (2) the general location of the Assessment District No. 92-1, and (3) the proposed assessments apportioned to each parcel of land in the proposed Assessment District to reimburse the City's costs of installing street lights. File 229-93-1 would also find that the Engineer's Report responds to the Board of Supervisors request for information concerning available financial assistance for senior homeowners (see Comment No. 1 - Part G) in the proposed Assessment District and would approve the Engineer's Report.

File 229-93-2 (Item 1e) is a proposed resolution that would state the City's intent to undertake to form an Assessment District and would give notice of the time and place for public hearing on the question of the formation of the proposed assessment district and on the amount of the levy of the proposed assessment. File 229-93-2 (Item 1e.) would also describe the intended improvements and indicate the location of the proposed assessment district.

File 229-93-3 (Item 1f) is a proposed resolution that would declare the formation of Assessment District No. 92-1, confirm the diagram and assessments as described in the Engineer's Report, ordering the improvements, and levying the first annual assessment.

Comments: 1. The Engineer's Report consists of seven parts, as follows:

PART A - PLANS AND SPECIFICATIONS

Although separately bound, the Plans and Specifications are a part of the Engineer's Report and are included in the Report by reference. The Plans and Specifications include a statement of the work to be performed, including furnishing and installing 28 foot marbelite round concrete street light poles with six-foot galvanized steel bracket arm assemblies, and other standard invitation for bid documentation, including such provisions as liquidated damages for delay in completion of the work and Human Rights Commission requirements for construction contracts.

PART B - ESTIMATE OF COST

The "Total Project Cost" is estimated at $177,362. "Total Project Cost" consists of construction costs and "incidental expenses," as defined in the Landscape and Lighting Act.[1] Cost details are as follows:

Construction contract	$122,906
Project contingency	18,436
PG&E Connections	2,020
Project Management	15,000
Planning & Design	7,000
Construction Management	12,000
Total	$177,362

PART C - ASSESSMENT ROLL

Attached (Attachment II) is the proposed roll of the maximum assessments that would be adopted. As stated in the Engineer's Report, assessments would be based on "Total Project Costs" not to exceed $177,362. If "Total Project Costs" are less than $177,362, assessments would be based on the lower figure.

PART D - METHOD OF APPORTIONMENT OF ASSESSMENT

The assessment for each parcel would be the portion of the "Total Project Costs" relative to the "Assessed Footage" for each parcel divided by the total of all "Assessed Footage."

---

[1] According to the Landscape and Lighting Act "Incidental expenses" may include the following:

(a) The costs of preparation of the report, including, plans, specifications, estimates, diagram, and assessment.

(b) The costs of printing, advertising, and the giving of published, posted, and mailed notices.

(c) Compensation payable to the county (Tax Collector) for collection of assessments.

(d) Compensation of any engineer or attorney employed to render services in proceedings pursuant to this part.

(e) Any other expenses incidental to the construction or intallation of the improvements or to the maintenance and servicing thereof.

Attached is an extract of the method of apportionment from the Engineer's Report (Attachment III).

PART E - PROPERTY OWNERS LIST

PART E consists of the Property Address, Block #, Lot #, Name of Owner, and the current address of the owner, including Street Address, City, State, and ZIP Code.

PART F - ASSESSMENT DIAGRAM

The Assessment Diagram shows the lines and dimensions of each parcel, as shown on the Assessor's maps (See Attachment I).

PART G - OPTIONS FOR DEFERMENT OF ASSESSMENT COST

According to PART G, staff of the City Attorney's Office, in response to a previous request by the Board of Supervisors, to deliver an opinion on the option of waiving the assessment for senior citizens, has expressed the opinion that the Board of Supervisors cannot waive the assessment for any property that receives benefit from the proposed improvements. According to PART G, the Board of Supervisors could choose General Fund support or subvention for a defined category of owners; however, the Board would have to define that category based on financial need and not simply on age or disability.

PART G also describes a State program, the Homeowner's Tax Postponement, that is available to defer the assessment portion of the costs for senior citizens and blind or disabled citizens.

PART G contains a DPW recommendation that individual property owners be given the option of paying the assessment with interest charges of six and one-half percent, and associated processing charges, over a five-year period.

PART G also contains the statement that in addition to the assessment, property owners receiving utility services in the Sutro Heights District may also be required to do some rewiring on their homes in order to convert the electrical power wire attachment. City Attorney staff has determined that these rewiring costs cannot be paid by public funds. Estimates for the wiring costs range from $915 to $1,665, with an average estimate of $1,194. According to PART G, the rewiring work is normally performed by a contractor, although it may be possible for some individual property owners to do the work themselves with appropriate permits.

2. The estimated $177,362 cost of installing the proposed street lights would be advanced by a Hetch Hetchy Capital Improvement budget. However, this cost will be recovered from property owners by assessments to the property owners included in their regular property tax bills. The monies recovered from property owners will reimburse the Hetch Hetchy Capital Improvement budget. As noted above, some assessments may be paid back to the City over a five year period with interest on the unpaid balance at the rate of six and one-half percent.

3. The State Landscaping and Lighting Act of 1972 confers on the Board of Supervisors broad powers to amend the Engineer's Report. As stated in Section §22591 of the State Streets and Highways Code, "Order during or following hearing ," (See Comment No. 3 concerning the required hearing) "the legislative body may order changes in any of the matters provided in the report, including changes in the improvements, the boundaries of the proposed assessment district and any zones therein, and the proposed diagram or the proposed assessment. The legislative body may, without further notice, order the exclusion of territory from the proposed district, but shall not order the inclusion of additional territory within the district except upon written request by a property owner for the inclusion of his property or upon the giving of mailed notice of hearing to property owners upon the question of the inclusion of their property in the district."

4. The primary purpose of File No. 229-93-2 (Item 1e.) is to give notice of the time and place for a public hearing before the Board of Supervisors on the question of the formation of the proposed Assessment District and on the levy of the proposed assessment. As currently proposed, the hearing would be held at 3:00 P.M. at the June 21, 1993 meeting of the Board of Supervisors, in the Legislative Chambers of City Hall.

5. The Clerk of the Board would be directed to give notice of the proposed hearing by mailing notice by first-class mail to all property owners within the proposed district. The meeting notice is required to be mailed not less than 45 days prior to the hearing. Property owners may file a written protest of the proposed assessment and/or may be heard at

the public hearing. Written protests may be filed with the Clerk of the Board.

6. A majority protest would cause the proceeding for the formation of the Assessment District to be abandoned.

7. File 229-93-3 (Item 1f) is a proposed resolution that announces the formation of Assessment District No. 92-1, and should be continued to the call of the Chair, pending the results of the public hearing.

8. Mr. Tom Trimbur of DPW has advised the Budget Analyst that the City has incurred in-kind costs of approximately $18,000 for Project Management and Planning & Design. According to Mr. Trimbur, funds for these in-kind costs would be recovered by the City from the $177,362 assessment, if the proposed assessment is approved by the Board of Supervisors.

Recommendations: 1. With respect to Item 1d, File 229-93-1, the decision of whether to approve the Engineer's Report prepared and filed by the City Engineer in the formation proceeding for Assessment District No. 92-1 is a policy decision for the Board of Supervisors.

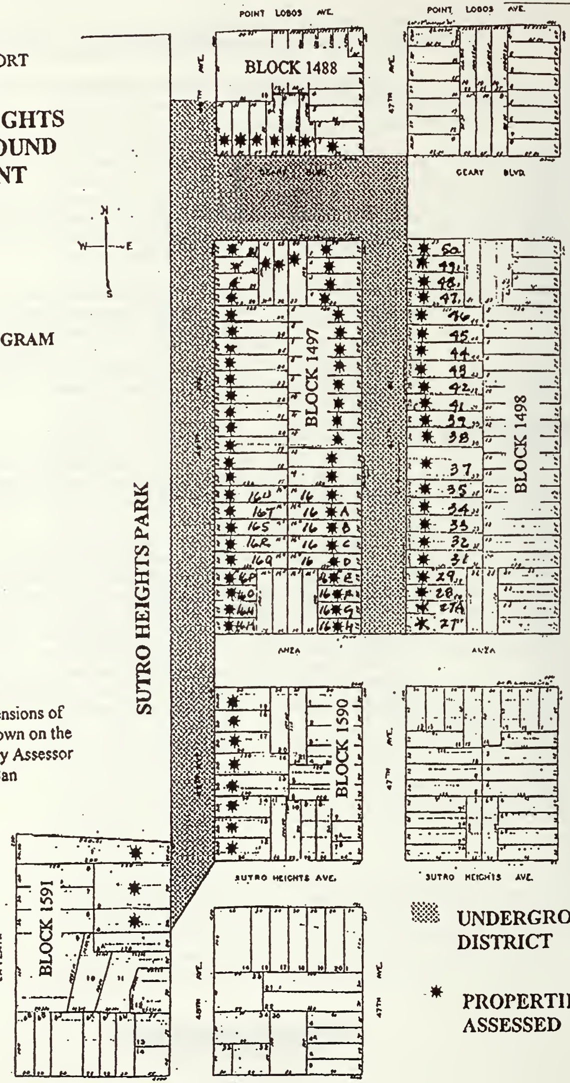
2. With respect to Items 1e and 1f, Files 229-93-2 and 229-93-3, should the Board of Supervisors approves Item 1d, File 229-93-1, then the Board of Supervisors should also approve Item 1e, File 229-93-2 and should continue to the call of the Chair Item 1f, File 229-93-3, pending the results of the public hearing on June 21, 1993 before the Board of Supervisors. If the Board of Supervisors does not approve Item 1d, File 229-93-1, then the Board of Supervisors should also not approve Items 1e and 1f, Files 229-93-2 and 229-93-3.

ENGINEER'S REPORT

PROPOSED SUTRO HEIGHTS UNDERGROUND ASSESSMENT DISTRICT

PART F

ASSESSMENT DIAGRAM



The lines and dimensions of each parcel are shown on the maps of the County Assessor of the County of San Francisco.

▨ UNDERGROUND DISTRICT

✱ PROPERTIES ASSESSED

ENGINEER'S REPORT
SUTRO HEIGHTS UNDERGROUND ASSESSMENT DISTRICT
PART C: ASSESSMENT ROLL/ MAMIMUM ASSESSMENTS

Address	Block/Lot	Assessed Footage	Estimate
501 47th	1497/1	34	$2,432
507 47th	1497/2	25	$1,788
511 47th	1497/3	25	$1,788
515 47th	1497/4	25	$1,788
519 47th	1497/5	25	$1,788
525 47th	1497/6	25	$1,788
527 47th	1497/7	28	$2,003
531 47th	1497/8	28	$2,003
535 47th	1497/9	28	$2,003
539 47th	1497/10	28	$2,003
545 47th	1497/11	28	$2,003
549 47th	1497/12	28	$2,003
555 47th	1497/13	30	$2,146
559 47th	1497/14	27	$1,932
563 47th	1497/16	25	$1,788
567 47th	1497/16A	25	$1,788
571 47th	1497/16B	25	$1,788
575 47th	1497/16C	25	$1,788
579 47th	1497/16D	25	$1,788
583 47th	1497/16E	25	$1,788
587 47th	1497/16F	25	$1,788
591 47th	1497/16G	25	$1,788
595 47th	1497/16H	25	$1,788
506 47th	1498/49	25	$1,788
510 47th	1498/48	26	$1,860
514 47th	1498/47	27.25	$1,949
518 47th	1498/46	27.25	$1,949
522 47th	1498/45	27.25	$1,949
526 47th	1498/44	27.25	$1,949
530 47th	1498/43	27.25	$1,949
534 47th	1498/42	25	$1,788
538 47th	1498/41	25	$1,788
542 47th	1498/39	25	$1,788
548 47th	1498/38	30	$2,146
552 47th	1498/37	50	$3,577
560 47th	1498/35	26.542	$1,899
564 47th	1498/34	26.552	$1,899
568 47th	1498/33	26.552	$1,899
572 47th	1498/32	26.552	$1,899
576 47th	1498/31	26.552	$1,899
580 47th	1498/29	25	$1,788

ENGINEER'S REPORT
SUTRO HEIGHTS UNDERGROUND ASSESSMENT DISTRICT
PART C: ASSESSMENT ROLL/
MAMIMUM ASSESSMENTS

Address	Block/Lot	Assessed Footage	Estimate
584 47th	1498/28	25	$1,788
588 47th	1498/27A	25	$1,788
490 48th	1488/12	33.2	$2,375
500 48th	1497/31	32	$2,289
506 48th	1497/30	25	$1,788
510 48th	1497/29	25	$1,788
514 48th	1497/28	25	$1,788
518 48th	1497/27	25	$1,788
522 48th	1497/26	25	$1,788
526 48th	1497/25	25	$1,788
530 48th	1497/24	25	$1,788
534 48th	1497/23	25	$1,788
538 48th	1497/22	25	$1,788
542 48th	1497/21	25	$1,788
546 48th	1497/20	25	$1,788
550 48th	1497/19	25	$1,788
554 48th	1497/18	25	$1,788
558 48th	1497/17	25	$1,788
562 48th	1497/16U	25	$1,788
566 48th	1497/16T	25	$1,788
570 48th	1497/16S	25	$1,788
574 48th	1497/16R	25	$1,788
578 48th	1497/16Q	25	$1,788
582 48th	1497/16P	25	$1,788
586 48th	1497/16O	25	$1,788
590 48th	1497/16N	25	$1,788
594 48th	1497/16M	25	$1,788
608 48th	1590/18	33	$2,361
612 48th	1590/17	33	$2,361
618 48th	1590/16	33	$2,361
626 48th	1590/15	33	$2,361
632 48th	1590/14	33	$2,361
636/38 48th	1590/13	33	$2,361
641 48th	1591/1	32.08	$2,295
645 48th	1591/2	70	$5,008
659 48th	1591/4	36	$2,575
8300 Geary	1488/7	8	$572
8320 Geary	1488/8	27	$1,932

ENGINEER'S REPORT
SUTRO HEIGHTS UNDERGROUND ASSESSMENT DISTRICT
PART C: ASSESSMENT ROLL/
MAMIMUM ASSESSMENTS

Address	Block/Lot	Assessed Footage	Estimate
8326 Geary	1488/9	27	$1,932
8332 Geary	1488/9A	27	$1,932
8338 Geary	1488/10	27	$1,932
8344 Geary	1488/11	27	$1,932
8325 Geary	1497/33	30	$2,146
8331 Geary	1497/32	25	$1,788
8337 Geary	1497/31A	25	$1,788
8245 Geary	1498/50	25	$1,788
5655 Anza	1590/19	35.5	$2,540
5546 Anza	1498/27	25	$1,788
150 Sutro Hts.	1590/12	35.5	$2,540
	TOTAL	2,479.28	$177,362

The lines and dimensions of each parcel are shown on the maps of the County Assessor of the County of San Francisco.

TTsutpay.xls
3/30/93

ENGINEER'S REPORT
PROPOSED SUTRO HEIGHTS UNDERGROUND ASSESSMENT DISTRICT

PART D

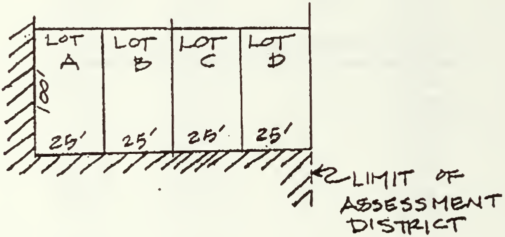
METHOD OF APPORTIONMENT OF ASSESSMENT

The assessment for each parcel shall be the portion of "Total Project Costs" relative to the "Assessed Footage" for each parcel divided by the total of all "Assessed Footage".

$$\text{Parcel Assessment} = \left(\frac{\text{Parcel Assessed Footage}}{\text{Total Assessed Footage}}\right) \times \text{Total Project Costs}$$

"Total Project Costs" shall be Construction Costs plus "Incidental expenses" as defined in the Landscape and Lighting Act. In this case, assessments will be based on "Total Project Costs" not to exceed $177,362. If "Total Project Costs" are less than $177,362, assessments will be based on the lower figure.

For corner lots "Assessed Footage" shall be equal to the footage of the short side of any lot facing onto the assessment district and/or one tenth (10%) of each long side of each parcel facing the assessment district. For all other lots, "Assessed Footage" shall be equal to the linear feet fronting the assessment district.



For example, "Assessed Footage" for corner Lot A which has two sides fronting the assessment district would equal the total of the short side of the lot, 25', plus 10% of the long side of the lot, 10% of 100', or 25' + 10' = 35'.

The "Assessed Footage" of interior Lot C would be the total front footage of 25'.

The "Assessed Footage" of corner Lot D which only fronts the district on its short side would be 25'.

Item 3 - File - 97-93-7

Department:	Department of Parking and Traffic
Item:	The proposed ordinance would amend Chapter 2 of the San Francisco Administrative Code (Temporary Use or Occupancy of Public Streets) by 1) amending Section 2.70-6 to provide for the transfer of the street fair permitting process from the Department of Public Works to the Department of Parking and Traffic, 2) amending Section 2.70-6 thereof to provide for cost recovery for the Department of Parking and Traffic for additional parking enforcement and traffic control and related services rendered by the Department of Parking and Traffic for street fairs, and 3) adding section 2.75-6 providing for the recovery of costs for additional parking enforcement and traffic control and related services rendered by the Department of Parking and Traffic for athletic events; and amending Chapter 10B by adding Sections 10B.16 through 10B.20 thereto, providing generally for recovery of costs for additional parking enforcement and traffic control and related services rendered by the Department of Parking and Traffic.

Description: On May 4, 1992, the Board of Supervisors approved an ordinance amending the Traffic Code to transfer a number of traffic control authorities from other City agencies to the Department of Parking and Traffic. The proposed ordinance would now amend the Administrative Code to transfer the responsibility for street fair permit issuance from the Department of Public Works to the Department of Parking and Traffic.

The proposed ordinance would also provide for the Department of Parking and Traffic (DPT) to recover all or partial costs for DPT services rendered on special events held by community groups, which include street fairs, parades, and athletic events. Currently, the Administrative Code does not provide for the recovery of costs incurred by the Department of Parking and Traffic regarding services related to public events.

Currently, Section 2.70-6 of the San Francisco Administrative Code states that the Department of Public Works (DPW) is responsible for issuing permits for temporary use of a street for the purpose of conducting a street fair. The proposed ordinance would amend Section 2.70-6 to provide for the transfer of the responsibility for street fair permit issuance from the Department of Public Works to the Department of Parking and Traffic.

Section 2.70-6 currently states that no fees may be assessed for street fairs other than those specified in Section 2.70-6. The proposed ordinance would amend Section 2.70-6 to allow DPT to recover 100 percent of their costs up to a maximum of $2,500 for services provided during street fairs. The Interdepartmental Staff Committee On Traffic And Transportation (ISCOTT) could waive all or part of DPT's fee upon a showing that event sponsors are unable to pay the full fee.

Currently, the Administrative Code does not provide for the recovery of costs for parking enforcement, traffic control and related services provided by DPT at athletic events. The proposed new Section 2.75-6 would provide for the recovery of DPT costs during athletic events in accordance with the reimbursement procedures stated in Sections 10B.16 through 10B.20 of the Administrative Code (which are discussed below). Under Section 2.75-6, reimbursement would be required for the following services: 1) parking enforcement, 2) traffic control and related services, including field investigation needed to determine staffing requirements and 3) indemnification of any or all liability.

Chapter 10B of the Administrative Code currently provides for the provision and reimbursement of special services provided by the Police Department and the DPW during public events sponsored by community groups. The proposed ordinance would amend Chapter 10B by adding Sections 10B.16 through 10B.20 to also authorize the Department of Parking and Traffic to provide any necessary personnel, equipment for parking enforcement, traffic control and related services for public events. Section 10B.20 requires the persons, corporations, or organizations to pay for the actual costs of the additional services for all events except street fairs. As stated previously, reimbursement for the City's costs during street fairs is limited to the reimbursement rates specified in Section 2.70-6 of the Administrative Code.

Comments:

1. The proposed ordinance would amend the Administrative Code to allow DPT to recover its costs of providing services for special events. Currently, there are no provisions in the Administrative Code for the recovery of DPT's costs for special events. The proposed ordinance would allow DPT, which will be responsible for traffic re-routing, pedestrian and traffic control, and safety monitoring on the day of special events, to recover its costs of enforcing such services

in parades, athletic events, street fairs and other such special events.

2. Mr. John Kay, a fiscal officer for the Police Department, observes that the provisions of the current Administrative Code limit the recovery of costs for parking and traffic control services rendered for street fairs. He states that in fiscal year 1991-92, 34 street fairs took place costing $339,000 for Police Department services but only $85,000 was recovered by the Police Department, based on $2,500 per event.

3. The proposed ordinance would provide that reimbursement of DPT's costs for services provided during street fairs would also be limited to a maximum of $2,500 per event, which is the current maximum reimbursement for the services of the Police Department during street fairs.

4. The new Section 2.75-6 would require the street closure permit holder to pay for the actual cost of services provided by the Department of Parking and Traffic at athletic events. The proposed new Section 2.75-6c provides that the Director of Parking and Traffic shall determine the actual cost of services provided by the Department of Parking and Traffic.

5. The proposed ordinance does not specify how DPT can recover costs of the services it has provided in parades. Mr. Tim Johnson of the Department of Parking and Traffic states that the proposed ordinance provides for reimbursement of the cost of DPT services during athletic events and street fairs, where most of the services provided by DPT for special events are needed. He states that DPT generally has a limited role in parades for crowd control and safety monitoring, and that the services of the Police Department to control traffic during parades are needed more than the services of DPT.

6. Under the proposed ordinance, the provisions of Section 10B.17 of the Administrative Code would allow DPT to recover its actual costs for all events except street fairs, since the recovery of costs for DPT services at street fairs would be outlined in Section 2.70-6. However, Mr. Johnson indicates that the City's ability to receive reimbursements for events other than street fairs is determined primarily by whether an event is profitable to the sponsor. Mr. Johnson states that athletic events usually are profitable, and the City can usually recover the costs of services provided by City departments at athletic events. Parades, on the other hand, are generally not profitable, and the City usually does not

recover the costs of services provided by City departments during parades.

7. As described above, the proposed ordinance would include the Department of Parking and Traffic among the City agencies which must be reimbursed for services provided at community events. Therefore, if the proposed ordinance is approved, the cost of some special events could increase, since sponsors would be required to reimburse the Department of Parking and Traffic for its services in addition to reimbursing other City departments for their services.

In particular, under the proposed ordinance, the sponsors of street fairs would be required to reimburse the cost of any Police Department services up to a maximum of $2,500, and also to reimburse the Department of Parking and Traffic up to $2,500 for the cost of its services. If a street fair required the services of both the Police Department and DPT, the maximum cost to the sponsor for these services would therefore increase from a maximum of $2,500 for Police services only to a maximum of $5,000 for both Police and DPT services.

Because the proposed ordinance could increase the cost of sponsoring a street fair by up to $2,500 for the services of DPT, and would also increase the cost of other events which require the services of DPT, the Budget Analyst believes that approval of the proposed ordinance is a policy matter for the Board of Supervisors.

Recommendation: Approval of the proposed ordinance is a policy matter for the Board of Supervisors.

Item 4 - File 124-93-3

Department: Department of Parking and Traffic (DPT)

Item: Ordinance amending Part II, Chapter XI, of the San Francisco Municipal Code (Traffic Code) by amending Section 203 thereof, relating to the denomination of coins and length of parking time allowed at parking meters.

Description: Part II, Chapter XI, Section 203 of the Traffic Code currently provides that the Board of Supervisors determines a) the denomination of coins that parking meters will accept and b) the maximum parking time allowed per parking meter. The proposed ordinance would amend the Traffic Code to provide that the Board of Supervisors would also determine the length of parking time allowed per coin and that the Director of the DPT, rather than the Board of Supervisors as is currently required, would determine the maximum amount of parking time allowed per parking meter. The proposed ordinance includes a provision that the maximum parking times that would be established by the Director of the DPT pursuant to the proposed amendment of the Traffic Code would be within a range of from one-half hour to two hours per parking meter.

Comments: 1. Ms. Lisbet Engberg of the DPT reports that the proposed maximum parking times to be established by the Director of the DPT would be within a range of from 15 minutes to two hours per parking meter rather than the stated one-half hour to two hours. As such, the proposed ordinance should be amended to reflect a maximum range of from 15 minutes to two hours.

2. Ms. Engberg reports that the purpose of this proposed ordinance is to transfer the authority for setting parking meter time limits from a legislative authority to an administrative authority. Ms. Engberg advises that the proposed ordinance would provide the DPT with more flexibility to shorten parking meter time limits, within the range of from 15 minutes to two hours, at its own discretion. Ms. Engberg advises that this proposed ordinance is in response to numerous merchant and resident requests to the DPT to reduce parking meter time limits in some commercial district areas of the City in order to allow for increased business for San Francisco's small business community (i.e. banks - automatic teller machines, video stores, etc.). Ms. Engberg reports that the proposed amendments to Section 203 of the Traffic Code would not result in any change in parking meter revenues because whether one automobile parks at one meter for 60 minutes or four automobiles park consecutively at one meter for 15

minutes each (60 minutes total), the amount of parking meter revenue generated is the same.

Recommendations: 1. Amend the proposed ordinance to change the maximum range for setting parking meter time limits from one-half hour to two hours, to 15 minutes to two hours.

2. Approval of the proposed ordinance is a policy matter for the Board of Supervisors.

Item 8 File 200-93-1

1. This item is a hearing to consider the re-pavement project on 14th Street, near Church Street.

2. Mr. Joe Cheung of the Department of Public Works (DPW) reports that the original pavement project on 14th Street, near Church Street was completed in November, 1992. The cost of the project was approximately $178,000 and was paid for by Sales Tax monies. Mr. Cheung advises that approximately one month after the completion of this project, the DPW inspected the project and determined that the asphalt materials were not bonding correctly, causing a rough surface in the pavement. According to Mr. Cheung, a sample of the asphalt was analyzed, which showed that the reason the materials were not bonding was due to defects in the asphalt itself rather than the workmanship performed on the project. Mr. Cheung advises that the contractor, Bay Cities Paving and Grading Inc., was instructed to re-pave 14th Street. However, according to Mr. Cheung, the contractor was unable to complete the re-pavement work until early March, 1993, due to rain. Mr. Cheung states that the DPW has inspected the re-pavement project and has determined that there are no longer any defects.

3. Mr. Cheung reports that the contractor performed the re-pavement work at no additional cost to the City.

Harvey M. Rose

cc: Supervisor Migden
Supervisor Maher
Supervisor Shelley
President Alioto
Supervisor Achtenberg
Supervisor Bierman
Supervisor Conroy
Supervisor Hallinan
Supervisor Hsieh
Supervisor Kaufman
Supervisor Kennedy
Clerk of the Board
Chief Administrative Officer
Controller
Teresa Serata
Barbara Kolesar
Ted Lakey

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CALENDAR
REGULAR MEETING
HOUSING AND LAND USE COMMITTEE
BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

THURSDAY, MAY 6, 1993 - 10:00 a.m. City Hall, Room 228

Members: Supervisors Migden, Maher, Shelley

Clerk: Joni Blanchard

CONSENT CALENDAR

1. All matters listed hereunder constitute a Consent Calendar, are considered to be routine by the Committee, and will be acted upon by a single roll call vote of the Committee. There will be no separate discussion of these items unless a member of the Committee or the public so requests, in which event the matter shall be removed from the Consent Calendar and considered as a separate item.

   a. File 40-93-2. [Parking of Vehicles] Extending the boundaries of Residential Permit Parking Area "G" in the Pacific Heights area; and adding to the list of streets upon which time limitations shall apply. (Department of Parking and Traffic)

   b. File 40-93-3. [Parking of Vehicles] Extending the boundaries of Residential Permit Parking Area "U" in the South of Market area; and adding to the list of streets upon which time limitations shall apply. (Department of Parking and Traffic)

   ACTION:

REGULAR CALENDAR

2. File 20-93-3.1. [Traffic Regulation] Recommending establishment of tow-away, no stopping anytime zone on Lucky Street, both sides, between 24th and 26th Streets; DPT Order No. 388. (Department of Parking and Traffic)

   (Consideration continued from 4/15/93)

   ACTION:

3. File 124-93-3. [Parking Meters] Ordinance amending Traffic Code Section 203, relating to the denomination of coins and length of parking time allowed at parking meters. (Supervisor Shelley, Kaufman)

   (Consideration continued from 4/15/93)

   ACTION:

4. File 200-93-1. Hearing to consider the repavement project on 14th Street, near Church Street. (Supervisor Kaufman)

(Consideration continued from 4/15/93)

ACTION:

5. File 109-93-1. [Rent Ordinance] Ordinance amending the Administrative Code Sections 37.4, 37.7, 37.8 and 37.11A, to provide that petitions for capital improvments, rehabilitation, and energy conservation measures must be filed no later than seven years after work has been completed, to limit amount hearing officers may refund and amount tenants may recover in civil actions for rent overpayments resulting from null and void rent increases except in cases of rent overpayments being made in bad faith by landlord, and to change the title of executive secretary to executive director. (Residential Rent Stabilization and Arbitration Board)

(Consideration continued from 4/15/93)

ACTION:

6. File 109-93-3. [Rent Ordinance] Ordinance amending Administrative Code Section 37.2 to exempt from Chapter 37 dwelling units solely owned by a non-profit public benefit corporation in which a majority of its governing body are residents of the dwelling units and whose bylaws require rent increases be approved by a majority of residents of the dwelling units. (Supervisor Achtenberg)

ACTION:

7. File 75-92-3. [Street Name Change] Resolution urging the Department of Public Works to initiate the process of renaming Hamlin Place to Ferlinghetti Lane to honor his continuing contribution to the cultural fabric of San Francisco through his literary sanctuary, City Lights Bookstore. (Supervisor Alioto)

ACTION:

8. File 123-93-1. Hearing to consider allowing restautants to place tables and chairs on sidewalks in areas that do not obstruct pedestrian traffic or create other hazards. (Supervisor Alioto)

ACTION:

9. File 12-93-17. [Bridge Toll Increase] Resolution urging State Legislature to increase toll on San Francisco Bay Area bridges by one dollar. (Supervisor Kennedy)

ACTION:

10. File 212-93-1. Hearing to consider Geneva Towers, its operation and master plan. (Supervisors Kennedy, Alioto)

ACTION:

Housing & Land Use Committee
Board of Supervisors
City Hall, Room 235
San Francisco, CA 94102

IMPORTANT HEARING NOTICE!!!

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CITY AND COUNTY OF SAN FRANCISCO

BOARD OF SUPERVISORS

BUDGET ANALYST
1390 MARKET STREET, SUITE 1025
SAN FRANCISCO, CALIFORNIA 94102 • TELEPHONE (415) 554-7642

May 4, 1993

TO: Housing and Land Use Committee

FROM: Budget Analyst

SUBJECT: May 6, 1993 Housing and Land Use Committee Meeting

Item 3 - File 124-93-3

Note: This item was continued by the Housing and Land Use Committee at its meeting of April 15, 1993.

Department: Department of Parking and Traffic (DPT)

Item: Ordinance amending Part II, Chapter XI, of the San Francisco Municipal Code (Traffic Code) by amending Section 203 thereof, relating to the denomination of coins and length of parking time allowed at parking meters.

Description: Part II, Chapter XI, Section 203 of the Traffic Code currently provides that the Board of Supervisors determines a) the denomination of coins that parking meters will accept and b) the maximum parking time allowed per parking meter. The proposed ordinance would amend the Traffic Code to provide that the Board of Supervisors would also determine the length of parking time allowed per coin and that the Director of the DPT, rather than the Board of Supervisors as is currently required, would determine the maximum amount of parking time allowed per parking meter. The proposed ordinance includes a provision that the maximum parking times that would be established by the Director of the DPT pursuant to the proposed amendment of the Traffic Code would be within a range of from one-half hour to two hours per parking meter.

Comments:

1. Ms. Lisbet Engberg of the DPT reports that the proposed maximum parking times to be established by the Director of the DPT would be within a range of from 15 minutes to two hours per parking meter rather than the stated one-half hour to two hours. As such, the proposed ordinance should be amended to reflect a maximum range of from 15 minutes to two hours.

2. Ms. Engberg reports that the purpose of this proposed ordinance is to transfer the authority for setting parking meter time limits from a legislative authority to an administrative authority. Ms. Engberg advises that the proposed ordinance would provide the DPT with more flexibility to shorten parking meter time limits, within the range of from 15 minutes to two hours, at its own discretion. Ms. Engberg advises that this proposed ordinance is in response to numerous merchant and resident requests to the DPT to reduce parking meter time limits in some commercial district areas of the City in order to allow for increased business for San Francisco's small business community (i.e. banks - automatic teller machines, video stores, etc.). Ms. Engberg reports that the proposed amendments to Section 203 of the Traffic Code would not result in any change in parking meter revenues because whether one automobile parks at one meter for 60 minutes or four automobiles park consecutively at one meter for 15 minutes each (60 minutes total), the amount of parking meter revenue generated is the same.

Recommendations:

1. Amend the proposed ordinance to change the maximum range for setting parking meter time limits from one-half hour to two hours, to 15 minutes to two hours.

2. Approval of the proposed ordinance is a policy matter for the Board of Supervisors.

Item 4 File 200-93-1

Note: This item was continued by the Housing and Land Use Committee at its meeting of April 15, 1993.

1. This item is a hearing to consider the re-pavement project on 14th Street, near Church Street.

2. Mr. Joe Cheung of the Department of Public Works (DPW) reports that the original pavement project on 14th Street, near Church Street was completed in November, 1992. The cost of the project was approximately $178,000 and was paid for by Sales Tax monies. Mr. Cheung advises that approximately one month after the completion of this project, the DPW inspected the project and determined that the asphalt materials were not bonding correctly, causing a rough surface in the pavement. According to Mr. Cheung, a sample of the asphalt was analyzed, which showed that the reason the materials were not bonding was due to defects in the asphalt itself rather than the workmanship performed on the project. Mr. Cheung advises that the contractor, Bay Cities Paving and Grading Inc., was instructed to re-pave 14th Street. However, according to Mr. Cheung, the contractor was unable to complete the re-pavement work until early March, 1993, due to rain. Mr. Cheung states that the DPW has inspected the re-pavement project and has determined that there are no longer any defects.

3. Mr. Cheung reports that the contractor performed the re-pavement work at no additional cost to the City.

Item 6 - File 109-93-3

Department:	Rent Board
Item:	Ordinance to amend the San Francisco Administrative Code by amending Section 37.2 (p) to exempt from rent controls contained in Chapter 37, dwelling units solely owned by a non-profit public benefit corporation in which a majority of its governing body are residents of the dwelling units and whose bylaws require rent increases be approved by a majority of residents of the dwelling units. Pursuant to Section 5110 et. sec. of the California Corporation Code, a non-profit public benefit corporation is a non-profit entity which is established for any public or charitable purposes. If a non-profit public benefit corporation raises money, the money will go to a charity or to the State. Non-profit public benefit corporations are unique from other non-profit organizations in that the property of the corporation is owned by the members of the corporation. All members have voting rights to determine matters pertaining to the property.
Description:	The proposed ordinance would provide for changes pertaining to the Residential Rent Stabilization and Arbitration Ordinance (Rent Control Ordinance). The proposed changes are intended to safeguard tenants from excessive rent increases and, at the same time, to assure landlords fair and adequate rents consistent with Federal Anti-Inflation Guidelines.

Section 37.2 (p) entitled Definitions -Rental Units, currently provides that the following are excluded from the definition of Rental Units and are therefore excluded from the Rent Ordinance: 1) Housing accommodations in hotels, motels, inns, tourist houses, rooming and boarding houses, provided that if an accommodation has been occupied by a tenant for 32 days or more, such accommodation shall become a rental unit subject to the provisions of this chapter; 2) Dwelling units in nonprofit cooperatives owned, occupied and controlled by a majority of the residents; 3) Housing accommodations in any hospital, convent, monastery, extended care facility, asylum, non-profit home for the aged, or in dormitories owned and operated by an institution of higher education, a high school, or an elementary school; 4) Dwelling units whose rents are already controlled or regulated by any government unit, agency or authority, excepting those unsubsidized and/or unassisted units which are insured by the U.S. Department of Housing and Urban Development; 5) Owner-occupied buildings containing four residential rental units or less, wherein the owner has resided for at least six months; 6) Rental units located in a structure

for which a certificate of occupancy was first issued after the effective date (June 13, 1979) of the Rent Control Ordinance; and 7) Dwelling units in a building which has undergone substantial rehabilitation after the effective date of this ordinance.

The proposed ordinance would amend the second exclusion, Section 37.2 (p) - 2 by identifying an additional class of non-profit owned, operated and controlled dwelling units that would not be subject to the provisions of the Rent Ordinance. It would exempt from the rules and regulations of the Rent Ordinance dwelling units owned by a non-profit public benefit corporation, as long as the following conditions are satisfied: 1) a majority of the Board of Directors of the corporation are also residents of the dwelling units and; 2) the bylaws of the corporation require that rent increases for occupancy of the dwelling units must be approved by a majority of the residents. The proposed amended Section 37.2 (p) - 2 would exempt from rent control: "Dwelling units in non-profit cooperatives owned, occupied and controlled by a majority of the residents or dwelling units solely owned by a non-profit benefit corporation governed by a board of directors the majority of which are residents of the dwelling units and where it is required in the corporate by-laws that rent increases be approved by a majority of the residents."

Comment:

1. Ms. Delene Wolf of the Rent Board advises that dwelling units solely owned by a non-profit public benefit corporation described above should be exempt from the Rent Control Ordinance because the majority of the owners of the corporation are also tenants. Ms. Wolf reports that these owners elect the Board of Directors, the majority of which must also be residents of the dwelling. Ms. Wolf states that when the Board of Directors of such a dwelling increases the rents, the individual Board members' rents increase as well. Ms. Wolf reports that because the majority of residents have to approve rent increases, the Rent Board believes that owners and tenants would not have any financial motivation to impose unnecessary rent increases. According to Ms. Wolf, this unique group of non-profits, of which there is currently only one - the Project Artaud (a live-work artist community), should not be subject to rent control.

2. Ms. Wolf reports that last year arbitration hearings for the Project Artaud cost the Rent Board approximately $1,000 and user-fee revenues were $640 ($8 x 80 rental units). Ms. Wolf advises that user-fees will increase by $2 for Fiscal Year 1993-94, from $8 to $10 per rental unit which would bring the total user-fees for the Project Artaud to $800 ($10 x 80 rental units).

Thus, the Rent Board would save approximately $200 ($1,000 costs for arbitration hearings less $800 user fee revenue) as a result of the proposed amendment.

Recommendation: Approval of the proposed ordinance is a policy matter for the Board of Supervisors.

Item 8 - File 123-93-1

Item: This item is a hearing to consider allowing restaurants to place tables and chairs on sidewalks in areas that do not obstruct pedestrian traffic or create other hazards.

Description: Current Permit Process

The Department of Public Works (DPW) reports that currently approximately 20 restaurants, with a total of approximately 275 chairs, have obtained permits for placing tables and chairs on sidewalks from DPW. The current one-time application fee for a permit is $438 which includes $322 for DPW processing including an automatic public hearing for each permit application to allow for public input, regardless of whether or not there is opposition, on whether or not a permit should be granted and a $116 City Planning Department processing fee. The City Planning Department advises that this $116 processing fee per application provides funding to make findings pursuant to Proposition M requirements.

The $438 application fee is non-refundable even if an applicant is denied a permit. If a permit is approved, the applicant must also pay an annual fee of $360, regardless of the number of tables and chairs to be placed on the sidewalk. The DPW advises that the average turnaround time for the current permit process is between two and three months. The major time consuming factor is the required public hearing.

Revised Permit Process

The DPW has designed a revised permit process and is submitting legislation to the Board of Supervisors that would effect the revised permit process. In conjunction with the City Planning Department, the Department of Parking and Traffic (DPT), the Interdepartmental Staff Committee on Traffic and Transportation (ISCOTT) and the Police Department, the DPW has drafted permit applicant guidelines. If an applicant meets these pre-approved guidelines, the applicant would pay a $200 one-time application fee ($238 less than the current $438 application fee). If the individual does not meet the guidelines, the applicant can either revise his/her application to meet the guidelines or the applicant can request a variance (exception) to the guidelines. If a variance is requested, an additional one-time $100 fee would be charged to enable further scrutiny of the application. Mr. Evan Rose of the City Planning Department advises that the revised permit process would streamline the permit process for all departments involved.

The revised permit process being considered would eliminate the current $360 annual fee and would establish in its place a monthly fee of $3 per chair placed on a sidewalk ($36 per chair per year), regardless of the number of chairs so long as permit and zoning guidelines are met.

Ms. Denise Brady of the DPW reports that the turnaround time for the revised permit process being considered is estimated to be approximately two weeks. Under the revised permit process, public hearings would be conducted only if there is public objection regarding a particular applicant. If an applicant meets the pre-approved guidelines, a public notice pertaining to the application of the permit would be posted at the applicable restaurant for ten days. If there are no objections from the public during this ten day period, the application process would continue. If there is pubic objection, a public hearing would be held by DPW.

Ms. Brady advises that in order not to significantly disrupt pedestrian traffic on City sidewalks, the revised permit process would require restaurant establishments to place diverters around the areas in which tables and chairs are located to delineate restaurant sidewalk space from pedestrian walking space. These diverters are to be provided by the applicant (at no cost to the City) and are to be removed by the applicant at the end of each day, in addition to the removal of tables and chairs at the end of each day.

According to Ms. Brady, the reduction in the one-time application fees by $238, from $438 to $200 would not significantly change the total revenues generated by the permit fees. The additional revenues generated by the $3 per chair monthly fee is estimated at $9,900 annually (275 chairs x $3 per chair x 12 months), or $5,140 more than the estimated $4,760 ($238 reduction x 20 restaurants) annually lost from the application fees. The proposed monthly fee of $3 per chair is intended to encourage more small restaurant owners to take advantage of obtaining a permit. A small restaurant with only one table and two chairs outside would no longer be required to pay the same user-fee ($360) as a larger restaurant with 20 tables and 40 chairs outside. The small restaurant with only one table and two chairs would pay $72 annually ($3 x 2 chairs x 12 months) as opposed to the current $360 annual user-fee. The DPW reports that it has already received inquiries from approximately 10 small restaurant owners who are interested in obtaining permits under the revised permit process being considered.

Item 9 - File 12-93-17

1. The proposed resolution would urge the State Legislature to increase the toll on San Francisco Bay Area bridges by $1.00.

2. The Metropolitan Transportation Commission (MTC) administers two Bay Area "Bridge Units" which consist of the following bridges:

Northern Bridge Unit
Antioch Bridge
Benicia-Martinez Bridge
Carquinez Bridge
Richmond-San Rafael Bridge

Southern Bridge Unit
San Francisco-Oakland Bay Bridge
San Mateo-Hayward Bridge
Dumbarton Bridge

The Golden Gate Bridge is controlled by the Golden Gate Bridge, Highway and Transportation District and would not be effected by the proposed resolution.

3. The current toll for each of the seven bridges in the Northern and Southern Bridge Units is $1.00. Therefore, the proposed $1.00 toll increase would double the toll to $2.00.

4. The most recent toll increase for these bridges occurred in 1988 as a result of the passage of Regional Measure 1, which raised the tolls from a range of $0.40 to $0.75 to a uniform toll of $1.00 for all seven bridges in both the Northern and Southern Bridge Units. Regional Measure 1 authorized the MTC and the California Transportation Commission to undertake a revenue bond program to finance approximately $1 billion in major bridge improvements, the construction of new bridges, and mass transit extensions designed to reduce bridge traffic in the Bay Area.

5. The total bridge toll revenues for the Northern Bridge Unit were approximately $53 million for Fiscal Year 1991-92 and $69.2 million for the Southern Bridge Unit. CalTrans Toll Bridge Financing official Mr. Robert Hammer states that Fiscal Year 1992-93 revenues with the existing toll of $1.00 are expected to increase to an estimated $55.6 million for the Northern Bridge Unit, but the Southern Bridge Unit revenues are expected to remain at the Fiscal Year 1991-92 level of $69.2 million.

6. Mr. Hammer estimates that Bay Area bridge use would probably decline by no more than 1 percent following a toll increase to $2.00. The proposed toll increase would yield annual new revenues of an estimated $54.5 million for the Northern Bridge Unit and $67.8 million for the Southern Bridge Unit.

7. The California Streets and Highways Code states that revenue derived from tolls on all bridges in a bridge unit can be spent on safety and operational costs for any bridge and its approaches in that bridge unit, as well as on bridge construction and improvement projects that were specified in the legislation that put Regional Measure 1 on the ballot.

8. Mr. Hammer states that specific State legislation would be required to authorize or require the MTC to allocate any portion of new bridge toll revenue to new bridge capital improvements not related to safety, or to other transit projects designed to reduce congestion of Bay Area bridges.

9. Mr. James Drago, CalTrans Press Secretary, states that CalTrans needs to conduct seismic retrofitting of all Bay Area bridges except the Antioch Bridge. Mr. Drago reports that initial estimates suggest that the cost to retrofit the six bridges will total more than $500 million. Mr. Drago states that, although safety projects are officially the highest priority for expenditure of toll revenues, the seismic retrofit cannot be completed without either delaying existing projects, obtaining new toll revenue or obtaining additional funding from the State Highway Account.

10. Mr. Hammer states that CalTrans makes recommendations to the California Transportation Commission, which makes the final decisions regarding allocation of Bay Area bridge toll revenues.

Comments:

1. The proposed resolution lists the Richmond-San Rafael Bridge twice, and omits the Dumbarton Bridge from the list of bridges whose toll is currently $1.00 and which would be increased by $1.00.

Recommendations:

1. Amend line 7 of the proposed resolution to delete "Richmond-San Rafael Bridge" and insert "Dumbarton Bridge."

2. Approval of the proposed resolution to urge the State Legislature to increase the toll on San Francisco Bay Area bridges by $1.00 is a policy matter for the Board of Supervisors.

Harvey M. Rose

cc: Supervisor Migden
Supervisor Maher
Supervisor Shelley
President Alioto
Supervisor Achtenberg
Supervisor Bierman
Supervisor Conroy
Supervisor Hallinan
Supervisor Hsieh
Supervisor Kaufman
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BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

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THURSDAY, MAY 20, 1993 - 10:00 a.m.   City Hall, Room 228

Members: Supervisors Migden, Maher, Shelley

Clerk: Joni Blanchard

CONSENT CALENDAR

1. All matters listed hereunder constitute a Consent Calendar, are considered to be routine by the Committee, and will be acted upon by a single roll call vote of the Committee. There will be no separate discussion of these items unless a member of the Committee or the public so requests, in which event the matter shall be removed from the Consent Calendar and considered as a separate item.

a. File 18-93-4. [Stop Intersections] Recommending establishment of Stop Signs at various locations; DPT Order No. 408. (Department of Parking & Traffic)

Stop Signs - Establish

5th Avenue and Hugo Street, northwest and southeast corners, stopping 5th Avenue (makes this an all-way STOP)

19th and Texas Streets, all corners, stopping all approaches (presently uncontrolled).

Felton Street and San Bruno Avenue, southwest corner, stopping Felton Street (presently uncontrolled, stops the stem of this T-intersection)

Silliman and Princeton Streets, northeast and southwest corners, stopping Silliman Street (makes this an all-way STOP).

Silver Avenue and Amherst Street, southeast corner, stopping Amherst Street (presently uncontrolled, stops the stem of this T-intersection).

Silver Avenue and Yale Street, southeast corner, stopping Yale Street (presently uncontrolled, stops the stem of this T-intersection).

Felton and Amherst Streets, northeast and southwest corners, stopping Felton Street (makes this an all-way STOP).

Felton and Harvard Streets, northeast and southwest corners, stopping Felton Street (makes this an all-way STOP).

Williams Avenue and Reddy Streets, all corners, stopping all approaches (makes this 3-legged intersection an all-way STOP).

8th and 16th Streets, northwest corner, stopping 8th Street (presently uncontrolled).

b. File 19-93-4. [Stop Intersections] Recommending establishment and revocation of parking regulations at various locations; DPT Order No. 408. (Department of Parking & Traffic)

Diagonal (45-Degree) Parking - Establish

Harrison Street, west side, between Alameda and Mistral Streets.

Harrison Street, west side, from 150 feet south of Mistral Street to 22nd Street.

Motorcycle Parking Only (Unmetered) - Establish

Phelan Avenue, east side, from 30 feet to 72 feet south of north end of Cloud Hall Circle (Extends existing motorcycle parking zone by 42 feet to accomodate 12 additional stalls).

No Parking Any Time - Rescind

Colin P. Kelly, Jr. Street, west side, from Townsend Street to 263 feet northerly (263- foot zone).

Tow-Away, No Parking Any Time - Establish

Seward Street, south side, from Douglass Street to 97 feet westerly (97-foot zone, replacing existing red zone).

c. File 20-93-4. [Traffic Regulations] Recommending establishment and revocation of traffic regulations, various streets; DPT Order No. 408. (Department of Parking & Traffic)

Tow-Away, No Stopping Any Time - Establish

San Jose Avenue, east side, from Theresa Street to 25 feet southerly (25-foot zone).

Powell Street, west side, from Sutter Street to 74 feet southerly (74-foot zone, replacing existing red zone).

No Right Turn - Rescind
No Right Turn, Monday through Friday, 7 a.m. - 9 a.m. and 4 p.m. - 6 p.m. - Establish

Fremont Street, northbound, at Market Street.

No Right Turn after Candlestick Events - Establish

Jamestown Avenue, westbound at Griffith Street
Jamestown Avenue, westbound at Hawes Street
Jamestown Avenue, westbound at Redondo Street
Jamestown Avenue, westbound at Ingalls Street
Jamestown Avenue, westbound at Jennings Street

No Left Turn after Candlestick Events -Establish

Gilman Avenue, westbound at Hawes Street
Gilman Avenue, westbound at Ingalls Street
Gilman Avenue, westbound at Jennings Street
Gilman Avenue, westbound at 3rd Street
Paul Avenue, eastbound at 3rd Street
3rd Street, southbound at Gilman Street
Redondo Street, northbound at Ingerson Avenue

No U-Turn after Candlestick Events - Establish

3rd Street, northbound at Carroll Avenue
3rd Street, northbound at Yosemite Avenue
3rd Street, northbound at Van Dyck Avenue
3rd Street, northbound at Fitzgerald Avenue
3rd Street, northbound at Egbert Avenue
3rd Street, northbound at Donner Avenue
3rd Street, northbound at Bancroft Avenue
3rd Street, northbound at Armstrong Avenue
3rd Street, northbound at Wallace Avenue

No Left or U-Turn after Candlestick Events - Establish

3rd Street, northbound at Paul Avenue.

ACTION:

REGULAR CALENDAR

2. File 109-93-3. [Rent Ordinance] Ordinance amending Administrative Code Section 37.2 to exempt from Chapter 37 dwelling units solely owned by a non-profit public benefit corporation in which a majority of its governing body are residents of the dwelling units and whose bylaws require rent increases be approved by a majority of residents of the dwelling units. (Supervisor Achtenberg)

(Consideration continued from 5/6/93)

ACTION:

3. File 75-92-3. [Street Name Change] Resolution urging Department of Public Works to initiate the process of renaming Hamlin Place to Via Ferlinghetti to honor his continuing contribution to the cultural fabric of San Francisco through his literary sanctuary, City Lights Bookstore. (Supervisor Alioto)

(Consideration continued from 5/6/93)
(Chair may entertain a motion to continue this item)

ACTION:

4. File 190-93-3. [Enforce and Expand "Don't Block The Box"] Resolution urging the Mayor to urge the Parking and Traffic Commission to enforce and exapnd the "Don't Block the Box Program". (Supervisor Maher)

   ACTION:

5. File 190-93-4. [Expanding Metered Yellow Zones in the Downtown Core] Resolution Uring the Mayor to urge the Parking and Traffic Commission to expand metered yellow zones in the downtown core to Van Ness and South of Market, and to urge the Parking and Traffic Commission and the Police Commission vigorously to cite non-commercial vehicles illegally parked in yellow zones as well as commercial vehicles parked illegally in yellow zones all day. (Supervisor Maher)

   ACTION:

6. File 190-93-5. [Manual Traffic Control in Downtown Core] Resolution declaring the policy of the City and County of San Francisco that it is essential to San Francisco's Transit Plan to have manual traffic control in the City's busiest intersections in the downtown core of the City during periods of peak evening traffic. (Supervisor Maher)

   ACTION:

7. File 190-93-5.1. [Hiring Additional Parking Control Officers] Resolution urging the Mayor to urge the Parking and Traffic Commission to take all steps necessary to hire twenty-four to thirty-six additional parking control officers whose primary function would be the control of traffic in heavily used intersections in the City during periods of peak evening traffic. (Supervisor Maher)

   ACTION:

8. File 237-93-2. [Increasing Double Parking Bail to $100] Resolution urging the Municipal Court of the City and County of San Francisco to increase the bail for double parking violations from $43 and $50 to $100, directing the Clerk to transmit a copy of this resolution to the Municipal Court, and urging the Mayor to urge the Parking and Traffic Commission and the Police Commission to place a high priority on vigorously citing violators of double parking prohibitions, especially during periods of peak evening traffic. (Supervisor Maher)

   ACTION:

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Public Library, Documents Dept.
ATTN: Jane Hudson

CITY AND COUNTY OF SAN FRANCISCO

BOARD OF SUPERVISORS

BUDGET ANALYST
1390 MARKET STREET, SUITE 1025
SAN FRANCISCO, CALIFORNIA 94102 • TELEPHONE (415) 554-7642

May 18, 1993

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TO: Housing and Land Use Committee

FROM: Budget Analyst Recommendations.

SUBJECT: May 20, 1993 Housing and Land Use Committee Meeting

Item 2 - File 109-93-3

Note: This item was continued at the May 6, 1993 Housing and Land Use Committee Meeting.

Department: Rent Board

Item: Ordinance to amend the San Francisco Administrative Code by amending Section 37.2 (p) to exempt from rent controls contained in Chapter 37, dwelling units solely owned by a non-profit public benefit corporation in which a majority of its governing body are residents of the dwelling units and whose bylaws require rent increases be approved by a majority of residents of the dwelling units. Pursuant to Section 5110 et. sec. of the California Corporation Code, a non-profit public benefit corporation is a non-profit entity which is established for any public or charitable purposes. If a non-profit public benefit corporation raises money, the money will go to a charity or to the State. Non-profit public benefit corporations are unique from other non-profit organizations in that the property of the corporation is owned by the members of the corporation. All members have voting rights to determine matters pertaining to the property.

Description: The proposed ordinance would provide for changes pertaining to the Residential Rent Stabilization and Arbitration Ordinance (Rent Control Ordinance). The proposed changes are intended to safeguard tenants from excessive rent increases and, at the same time, to assure landlords fair and adequate rents consistent with Federal Anti-Inflation Guidelines.

Section 37.2 (p) entitled Definitions -Rental Units, currently provides that the following are excluded from the definition of Rental Units and are therefore excluded from the Rent Ordinance: 1) Housing accommodations in hotels, motels, inns, tourist houses, rooming and boarding houses, provided that if an accommodation has been occupied by a tenant for 32 days or more, such accommodation shall become a rental unit subject to the provisions of this chapter; 2) Dwelling units in nonprofit cooperatives owned, occupied and controlled by a majority of the residents; 3) Housing accommodations in any hospital, convent, monastery, extended care facility, asylum, non-profit home for the aged, or in dormitories owned and operated by an institution of higher education, a high school, or an elementary school; 4) Dwelling units whose rents are already controlled or regulated by any government unit, agency or authority, excepting those unsubsidized and/or unassisted units which are insured by the U.S. Department of Housing and Urban Development; 5) Owner-occupied buildings containing four residential rental units or less, wherein the owner has resided for at least six months; 6) Rental units located in a structure for which a certificate of occupancy was first issued after the effective date (June 13, 1979) of the Rent Control Ordinance; and 7) Dwelling units in a building which has undergone substantial rehabilitation after the effective date of this ordinance.

The proposed ordinance would amend the second exclusion, Section 37.2 (p) - 2 by identifying an additional class of non-profit owned, operated and controlled dwelling units that would not be subject to the provisions of the Rent Ordinance. It would exempt from the rules and regulations of the Rent Ordinance dwelling units owned by a non-profit public benefit corporation, as long as the following conditions are satisfied: 1) a majority of the Board of Directors of the corporation are also residents of the dwelling units and; 2) the bylaws of the corporation require that rent increases for occupancy of the dwelling units must be approved by a majority of the residents. The proposed amended Section 37.2 (p) - 2 would exempt from rent control: "Dwelling units in non-profit cooperatives owned, occupied and controlled by a majority of the residents or dwelling units solely owned by a non-profit benefit corporation governed by a board of directors the majority of which are residents of the dwelling units and where it is required in the corporate by-laws that rent increases be approved by a majority of the residents."

Comment: 1. Ms. Delene Wolf of the Rent Board advises that dwelling units solely owned by a non-profit public benefit corporation described above should be exempt from the Rent Control Ordinance because the majority of the owners of the corporation are also tenants. Ms. Wolf reports that these owners elect the Board of Directors, the majority of which must also be residents of the dwelling. Ms. Wolf states that when the Board of Directors of such a dwelling increases the rents, the individual Board members' rents increase as well. Ms. Wolf reports that because the majority of residents have to approve rent increases, the Rent Board believes that owners and tenants would not have any financial motivation to impose unnecessary rent increases. According to Ms. Wolf, this unique group of non-profits, of which there is currently only one - the Project Artaud (a live-work artist community), should not be subject to rent control.

2. Ms. Wolf reports that last year arbitration hearings for the Project Artaud cost the Rent Board approximately $1,000 and user-fee revenues were $640 ($8 x 80 rental units). Ms. Wolf advises that user-fees will increase by $2 for Fiscal Year 1993-94, from $8 to $10 per rental unit which would bring the total user-fees for the Project Artaud to $800 ($10 x 80 rental units). Thus, the Rent Board would save approximately $200 ($1,000 costs for arbitration hearings less $800 user fee revenue) as a result of the proposed amendment.

Recommendation: Approval of the proposed ordinance is a policy matter for the Board of Supervisors.

Items 4, 5, 6, 7, and 8 - Files 190-93-3, 190-93-4, 190-93-5, 190-93-5.1 and 237-93-2

Department: The proposed legislation would declare policy of the City and County and urge specific actions by the Mayor, the Department of Parking and Traffic (DPT) and the Municipal Court.

Items: The proposed resolutions would:

Urge the Mayor to urge the Parking and Traffic Commission to enforce and expand the "Don't Block the Box Program" (File 190-93-3);

Declare a City and County policy that it is essential to San Francisco's transit plan to have manual traffic control in the City's busiest intersections in the downtown core of the City during periods of peak evening traffic (File 190-93-5);

Urge the Mayor to urge the Parking and Traffic Commission to take all steps necessary to hire 24 to 36 additional Parking Control Officers whose primary function would be the control of traffic in heavily used intersections in the City during periods of peak evening traffic (File 190-93-5.1);

Urge the Municipal Court to increase the bail for double parking violations from $43 and $50 to $100; and urge the Mayor to urge the Parking and Traffic Commission and the Police Commission to place a high priority on vigorously citing violators of double parking prohibitions, especially during periods of peak evening traffic (File 237-93-2); and

Urge the Mayor to urge the Parking and Traffic Commission to expand metered yellow zones in the downtown core to Van Ness Avenue and South of Market and urge the Parking and Traffic Commission and the Police Commission to cite vigorously non-commercial vehicles illegally parked in yellow zones as well as commercial vehicles parked in yellow zones all day (File 190-93-4).

Description: 1. The "Don't Block the Box" program is designed to prevent drivers from blocking an intersection, preventing movement of cross traffic after a signal change.

2. The proposed resolutions present the following findings:

The 1989 Loma Prieta earthquake resulted in the eventual demolition of the heavily damaged Embarcadero Freeway, one of the primary access roadways into the downtown area, including Chinatown and North Beach.

The City and County of San Francisco and the State are developing plans to improve traffic and transit corridors into the downtown core sections of San Francisco. Until new plans are implemented, there is a need to provide additional traffic control in the downtown core during peak afternoon and evening rush hours. One of the most efficient and responsive methods of traffic control is to use human beings to direct traffic according to the legislation.

In order to use human beings to direct traffic at all of the intersections that need traffic control assistance, it is necessary to hire additional Traffic Control Officers whom would be available to staff intersections that the City now is unable to staff.

The presence of double parked vehicles on busy City streets during high traffic hours can create instant and severe traffic jams. The City should make special efforts to discourage the double parking of vehicles during high traffic hours.

The illegal use of yellow metered parking spaces in the City reduces available legal parking spaces and adds traffic congestion in the downtown core as in the Van Ness and South of Market areas. The City should make special efforts to expand metered yellow zones in the downtown core to Van Ness Avenue and South of Market, and vigorously cite non-commercial vehicles illegally parked in yellow zones as well as commercial vehicles illegally parked in yellow zones all day.

3. The City currently issues citations for double parking violations with a bail of either $43 for Port locations and $50 at other city locations.

Comments: 1. The Department of Parking and Traffic (DPT) has prepared an application for AB 434 grant funds administered by the Bay Area Air Quality Management District (BAAQMD). This application is to be combined with other City Department applications for AB 434 funds and submitted to the Board of Supervisors for approval in the near future.

The DPT proposes to conduct a demonstration project of increased parking enforcement and traffic control should the AB 434 application be approved. $365,000 in grant expenditures is proposed to implement the following projects:

Increase manual traffic control on Mission Street from 14th to Army; Stockton Street from Broadway to the Broadway the Tunnel; Geary Street from Market Street to Taylor Street; Union Square shopping district between Thanksgiving and New Year's; Coit Tower (Telegraph Hill Boulevard) June through October.

Increase "Don't Block the Box" intersection control by not allowing vehicles traveling on cross streets to block movement at the intersections of Harrison Street at First Street and Harrison Street at 4th Street.

The DPT's proposal to expend $365,000 would fund 9.5 full time equivalent Parking Control Officers (PCOs) and needed materials and supplies for the proposed demonstration project. Since these PCOs would be working on traffic control during peak commute periods, the grant funded project would, in effect, support the costs of 19 PCOs working one-half time on traffic control.

2. The current salary range for a 8214 Parking Control Officer (PCO) position is $25,943 to $31,398. Including fringe benefits, 24 additional PCO positions would require funding in the amount of $860,126 annually ($35,838 each) at the third step; 36 additional positions would require funding of $1,290,188 annually ($35,838 each) at the third step. Additional expenditures for the purchase of Cushman vehicles, 'PIC' (hand-held) radios and needed materials and supplies would amount to approximately $15,000 per position in the initial year of acquisition, and average approximately $4,300 per year over the useful life of the equipment.

The proposed legislation stipulates that these new PCO positions would be used for traffic control purposes during "high traffic hours". Consequently, the new PCO positions would be available for issuing parking citations at off-peak hours, thus generating additional revenue to offset the costs of adding the new positions. The DPT estimates that, if the new PCOs were to work half-time performing parking control activities (issuing parking citations) and half-time at traffic control, then approximately $78,400 in additional revenue per position would be produced annually. This revenue estimate is based on conservative estimates of productive work days (after a high absenteeism factor), average number of citations written and average revenue per citation. Therefore, revenue produced by the new positions would be $38,262 more than the $40,138 actual cost of each PCO position funded at the third step, including average, annual equipment and supply costs.

The table below displays the net annual revenues produced by additional Parking Control positions as proposed in this legislation.

Annual Expenditures and Revenues from Additional PCO s Devoted Half-time to Traffic Control and Half-time to Parking Control Activities

(Expenditures) in parenthesis

Annual Expenditures/Revenues	24 Additional PCO Positions	36 Additional PCO Positions
Salary and Fringe Benefits at Third Step	($860,126)	($1,290,188)
Vehicle Expense, Materials and Supplies at $4,300 per position	(103,200)	(154,800)
Sub-total Expenditures	($963,326)	($1,444,988)
Additional Revenue at $78,400 per PCO position annually	$1,881,600	$2,822,400
Net Additional Annual Revenue	$918,274	$1,377,412

3. AB 408, approved in September of 1992, will transfer responsibility for parking citation processing and related activities from California Municipal Courts to issuing agencies (in San Francisco, the Department of Parking and Traffic represents the "issuing agency"). The bill becomes effective on July 1, 1993 and transfer of responsibility must be completed by January 1, 1994. Current plans in San Francisco will result in the transfer on or about November 1, 1993.

Under AB 408, parking violations will become a civil penalty instead of a criminal bail. The setting of civil penalty fines for parking violations will likewise become the responsibility of the DPT and recommended fines must be approved by the governing body of the jurisdiction, the Board of Supervisors. This transfer of fine-setting responsibilities could happen as soon as July 1, 1993, and the Municipal Court and DPT have indicated that they are willing to do so. However, no formal action has been taken yet to effect this transfer of responsibility. The DPT reports that the City Attorney is presently drafting legislation for approval by the Board of Supervisors to effect the change in fine-setting responsibility.

4. The DPT reports that a program of installing parking meters in yellow zones was started during Fiscal Year 1991-92. Their are approximately 4,400 commercial loading and truck only yellow zones in the City. 1,500 currently are metered in the Union Square, Tenderloin and Downtown core areas. A total of 1,100 yellow zones will not be metered since they are not in metered districts. The DPT is currently installing meters for yellow zones in the Chinatown/North Beach area and expects to complete this phase in the fall of 1993.

The yellow zone metering program was interrupted by the need to undertake a large scale, City-wide meter replacement program due to extensive vandalism to parking meters. Consequently, only 100 meters were installed in yellow zones so far in 1992-93, while plans called for 500 new yellow zone meters. The DPT agrees that such a yellow zone metering program would be beneficial and intends to install 500 new yellow zone meters in 1993-94.

5. The DPT reports that they will be undertaking a comprehensive review of all parking citation fines, including the fines for double parking. It is noted that increasing such fines to $100 would make San Francisco fines for double parking the highest in the State.

As reported in Comment No. 3 above, the setting of fines will be transferred from the Municipal Court to the Department of Parking and Traffic as soon as July 1, under AB 408. Also stipulated in AB408 is the provision that such fine schedules will need to be approved by the governing body of the jurisdiction, namely the Board of Supervisors.

Recommendation: The proposed resolutions are policy matters for the Board of Supervisors.

Harvey M. Rose

cc: Supervisor Migden
Supervisor Maher
Supervisor Shelley
President Alioto
Supervisor Achtenberg
Supervisor Bierman
Supervisor Conroy
Supervisor Hallinan
Supervisor Hsieh
Supervisor Kaufman
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HOUSING AND LAND USE COMMITTEE
BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

THURSDAY, JUNE 3, 1993 - 10:00 a.m. City Hall, Room 228

MEMBERS: SUPERVISORS MIGDEN, MAHER, SHELLEY

CLERK: JONI BLANCHARD

1. File 123-93-1. [Cafe Tables and Chairs] Ordinance amending Public Works Code, Article 5.2, by deleting Sections 176 through 182 inclusive, by adding new Sections 176 through 185, authorizing the Director of the Department of Public Works to issue cafe tables and chairs permits; requiring owners or operators of business establishments seeking to occupy a portion of a public sidewalk, court, alley or street with cafe tables and chairs; requiring permit applicants to post notice of intent on the business premises; establishing process for protest and appeal of denial of permit; setting conditions and restrictions on permits; providing for suspension or revocation of permits; establishing penalties and remedies for failure to comply with Article. (Supervisor Alioto)
(Consideration continued from 5/6/93)
(Chair may entertain a motion to continue this item.)

ACTION:

2. File 34-93-3. [Width of Sidewalk] Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalk" by adding Section 1510 re-establishing the official widths of sidewalk on Harrison Street between 15th and 18th Streets; and making findings pursuant to Planning Code Section 101.1. (Department of Public Works)

ACTION:

3. File 114-92-9. [Building Code] Resolution endorsing changes and providing findings as to the local conditions requiring changes of the California Building Standards Code for buildings, as required by the California Health and Safety Code. (Supervisor Hsieh)

ACTION:

4. File 114-92-9.1. [Building Code] Ordinance amending Building Code Section 104(b) to define and set new repair standards for damaged buildings, permit the partial strengthening of undamaged buildings and correct minor typographical errors in Ordinance No. 156-92 and adopting findings. (Supervisor Hsieh)

ACTION:

5. File 114-92-10. [Building Code] Ordinance amending Building Code Sections 4306(i) and 5406(c) to require fire-resistive glazing to conform with safety glazing requirements in human impact locations. (Supervisor Hsieh)

ACTION:

ousing & Land Use Committee
oard of Supervisors
ity Hall, Room 235
an Francisco, CA 94102

D 0132

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CITY AND COUNTY OF SAN FRANCISCO

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BUDGET ANALYST
1390 MARKET STREET, SUITE 1025
SAN FRANCISCO, CALIFORNIA 94102 • TELEPHONE (415) 554-7642

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June 1, 1993

TO: Housing and Land Use Committee

FROM: Budget Analyst Recommendations

SUBJECT: June 3, 1993 Housing and Land Use Committee Meeting

Item 1 - File 123-93-1

Note: This item was continued by the Housing and Land Use Committee at its meeting of May 6, 1993. The author of the proposed legislation has submitted an Amendment of the Whole of this legislation, upon which this report is based.

Department: Department of Public Works (DPW)

Item: Ordinance to amend Article 5.2 of the Public Works Code by deleting Sections 176 through 182 in their entirety and by adding new Sections 176 through 185, pertaining to outside cafe table and chairs permits.

Description: The proposed ordinance would amend Article 5.2 of the Public Works Code by deleting Sections 176 through 182. These Sections are the current regulations regarding the tables and chairs permit process. The proposed ordinance would establish new Sections 176 through 182 which would provide for a revised cafe tables and chairs permit process including a revision of fees. The current and proposed fees are as follows:

	Current	Proposed
One-Time Fees:		
DPW Application Fee	$322	0
Planning Dept. Processing Fee	116	0
Annual Fees:		
User-Fee	360	0
Per Chair (paid monthly)	-	$36
-Minimum	-	100
-Maximum	-	360

Presently, each permit application requires a one-time application (processing) fee of $438 ($322 DPW Application Fee plus $116 Planning Department Processing Fee) which includes funding for an automatic public hearing for each permit application to allow for public input on whether or not a permit should be granted, regardless of whether or not there is opposition. The $438 application fee is non-refundable even if an applicant is denied a permit. If a permit is approved, the applicant must also pay an annual user-fee of $360, regardless of the number of tables and chairs to be placed on the sidewalk. The proposed ordinance would 1) eliminate the application fee entirely, 2) abolish the current $360 annual user-fee and 3) establish a monthly user-fee of $3 per chair, with a minimum of $100 per year and a maximum of $360 per year.

In conjunction with the City Planning Department, the Department of Parking and Traffic (DPT), the Interdepartmental Staff Committee on Traffic and Transportation (ISCOTT) and the Police Department, the DPW has drafted a revised permit process which involves newly created permit applicant guidelines. If an individual does not meet the guidelines, the applicant may apply for special review and approval of his/her proposed cafe tables and chairs permit. The DPW would then submit the application to the ISCOTT for special review.

Comments:

1. The City Planning Department advises that the $116 processing fee per application provides funding to make findings pursuant to Proposition M requirements. The proposed revised permit process would eliminate City Planning's role in the permit process as well as the $116 processing fee. Mr. Evan Rose of the City Planning Department advises that although the proposed revised permit process would streamline the permit process for all departments involved, the departments with staff representatives on the ISCOTT would have no way to fund

special reviews of those applications that require them, as mentioned above.

2. Ms. Denise Brady of the DPW reports that the average turnaround time for the current permit process is between two and three months. The major time consuming factor is the required public hearing. The turnaround time for the proposed revised permit process is estimated to be approximately two weeks. Under the proposed revised permit process, public hearings would be conducted only if there is public objection regarding a particular applicant. If an applicant meets the pre-approved guidelines, a public notice pertaining to the application of the permit would be posted at the applicable restaurant for 10 days. If there are no objections from the public during this 10 day period, the application process would continue. If there is public objection, a public hearing would be held by DPW.

3. Ms. Brady advises that in order not to significantly disrupt pedestrian traffic on City sidewalks, the proposed revised permit process would require restaurant establishments to place diverters around the areas in which tables and chairs are located to delineate restaurant sidewalk space from pedestrian walking space. These diverters are to be provided by the applicant (at no cost to the City) and are to be removed by the applicant at the end of each day, in addition to the removal of tables and chairs at the end of each day.

4. According to Ms. Brady, approximately 20 restaurants, with a total of approximately 275 chairs, currently have annual permits from DPW for placing tables and chairs on sidewalks. The revenues generated by the proposed $3 per chair monthly fee ($100 annual minimum and $360 annual maximum) is estimated to be $6,120 annually, or $1,080 less than the $7,200 ($360 x 20 restaurants) annually lost by abolishing the current user-fee. User-fee revenues are for purposes of covering costs of enforcing permit regulations. Ms. Brady advises that $6,120 is still sufficient for the DPW to effectively enforce the proposed permit process regulations.

5. In contrast to the proposed fees to be used for enforcement purposes, Ms. Brady reports that since the proposed ordinance would eliminate the application and processing fees, the DPW would not recover its costs to issue, review, and process permits. The DPW advises that the Department expects to receive numerous applications as a result of increased interest in table and chair permits.

6. Under the proposed ordinance, a small restaurant with only one table and four chairs outside would no longer be required to pay the same user-fee ($360) as a larger restaurant with 20 tables and 40 chairs outside. The small restaurant with only one table and four chairs would pay $144 ($3 x 4 chairs x 12 months) as opposed to the current $360 annual fee.

Recommendation: Approval of the proposed ordinance is a policy matter for the Board of Supervisors.

Items 3 and 4 Files 114-92-9 and 114-92-9.1

1. Item 3, File 114-92-9 is a proposed resolution endorsing those changes and providing findings as to the local conditions requiring changes of the California Building Standards Code for buildings.

Item 4, File 114-92-9.1 is a proposed ordinance amending Part II Chapter I of the San Francisco Municipal Code (Building Code) by amending Section 104(b) to define and set new repair standards for damaged buildings, permit the partial strengthening of undamaged buildings and correct minor typographical errors in ordinance No. 156-92, and adopting findings.

2. The proposed legislation would amend the Building Code to define and set new repair standards for damaged buildings, permit the partial strengthening of undamaged buildings and correct minor typographical errors. Such changes would further distinguish the City's Building Code from the State Building Standards Code.

3. The California Health and Safety Code allows local Building Codes to differ from the State Building Standards Code if special local conditions exist. However, the State Health and Safety Code, pursuant to California Health and Safety Code Sections 17958, 17958.7 and 18941.5(c), requires cities and counties to furnish reasons to the State Building Standards Commission specifying those local conditions, which require that the local Building Code be different from the State Building Standards Code. The proposed resolution (File 114-92-9) endorses four such reasons.

. 4. The proposed ordinance (File 114-92-9.1) would make the following amendments to Section 104 (b) of the Building Code:

(1) Establish a definition for "structural damage" in connection with buildings, to provide that a building will be considered to have sustained structural damage when its lateral-force resisting system (building forces which resist wind and earthquakes) has suffered damage such that its capacity has been reduced by more than 20 percent (10 percent of wood frame buildings in Special Soil Areas). Currently, there is no code definition for "structural damage". Additionally, a structure will also be considered to have sustained structural damage when the vertical-load carrying components (building components such as walls, beams and columns, which prevent the building from collapsing under its own weight) supporting more than 30 percent of the structure's floor or roof area have suffered a reduction in vertical-load carrying capacity, resulting in the need for repair or replacement in order to be in compliance with the Building Code. Mr. Bob Bossi, Chairperson of the Structural Engineer Association's Task Force Committee which was assigned by the Association to draft the proposed legislation, advises that the intent of this provision is to (a) define "structurally damaged" to allow not only the cost of repairs but also building upgrades and strengthening to qualify for Federal Emergency Management Agency (FEMA) reimbursements and (b)

establish a formal standard for building upgrades of damaged buildings, that meets Federal criteria.

(2) Currently, requests to totally strengthen (retrofit) the lateral-force resisting system of undamaged buildings can be processed by the Department of Public Works (DPW) without any special processing whereas requests to partially strengthen the lateral-force resisting system of undamaged buildings require special administrative processing by DPW on an individual basis. The proposed amendment includes a provision which would allow building owners to submit requests for partial strengthening without being subjected to DPW's special administrative processing.

(3) Other changes of a technical nature and to correct minor typographical errors.

4. The proposed ordinance (File 114-92-9.1) would also adopt the following findings:

(1) The earthquake threat to San Francisco is high. In the estimation of the National Earthquake Prediction Evaluation Council, there is a 67 percent chance for at least one earthquake of magnitude 7 or larger in the San Francisco Bay Area between 1990 and 2020.

(2) In an earthquake, the risk to life comes primarily from older existing buildings.

(3) Opportunities exist to correct the risks in these older buildings when they undergo repairs after being damaged by various causes. At this time, the maximum repairs needed can be accomplished with the least incremental economic impact.

(4) Retrofit designed to minimize earthquake related damage would reduce loss of life and injury as well as prevent greater costs and hardships due to rescue, post-quake recovery and negative economic hardships attributable to loss of housing and job sites.

(5) The retrofitting of existing of existing buildings is consistent with the Community Safety Element of the City's Master Plan. Policy 2 of Objective 1 of the City's Master Plan calls for the City to "initiate orderly abatement of hazards from existing buildings and structures".

(6) Based on lessons learned after the Loma Prieta Earthquake of 1989, the time necessary for recovery from an natural disaster can be reduced if clear standards with regard to the repair of disaster related damage are in place prior to the disaster.

(7) The building code should not present a disincentive to the voluntary strengthening of existing buildings.

Comments

1. Mr. Larry Litchfield of the DPW, Bureau of Building Inspection reports that the DPW is generally supportive of the proposed amendments. However, Mr. Litchfield advises that there are two other proposals currently pending which would also amend Section 104(b). According to Mr. Litchfield, the Code Advisory Committee plans to meet and review these two pending proposals as well as the proposed amendments which are the subject of this report, in order to determine the relationship of these three proposals and if there is any conflict between them. The Code Advisory Committee consists of thirteen members appointed by the Director of Public Works to develop, review and recommend code changes to the City Building and Housing Codes. Members include architects, civil engineers, a mechanical engineer, a fire protection engineer, an electrical engineer, general contractors, a commercial property owner or a person practicing in the area of property management, a representative of the general business community and a person qualified in the area of historical preservation.

2. Attached is a memo from Mr. Bossi in response to Mr. Litchfield's comment noted above. Mr. Bossi states that the subcommittee of the Code Advisory Committee responsible for reviewing the two pending proposals to amend Section 104(b) have reviewed the proposed ordinance and have found no reason for not moving the proposed ordinance forward at this time.

Recommendation

Approval of the proposed resolution and ordinance is a policy matter for the Board of Supervisors

Attachment

To: Sandy Brown=Richardson
From: Bob Bossi

A subcommittee of the Code Advisory Committee is currently reviewing two much broader proposals. One would update and reorganize all of Section 104 on existing buildings. This review will take some time because of its broad nature. The goal of this review is to have the results ready at the time that San Francisco is obligated to adopt the 1994 State code in the fall of that year. The Committee is also reviewing Section 502 of the code as it applies to seismic upgrades that would be mandated when a building undergoes a change in use. This review was triggered by introduction of legislation by Board President Angela Alioto to create a new "low Density Professional, Non-retail Uses" occupancy category (File 114-93-6). This issue, while related, is independent of the issue of either damage or voluntary partial upgrades.

This ordinance pre-dates the work of the Code Advisory Committee and is of an "urgency" nature because the date of the next earthquake is unknown. It is important that San Francisco have this enabling legislation in place so that the post-disaster recovery is expedited through knowledge of repair requirements and Federal funding is assured for retrofitting as well as repairs. The legislation would also encourage seismic safety now by codifying the requirements for partial upgrades rather than requiring time consuming and costly case reviews.

The subcommittee, at its May 26th meeting, reviewed this ordinance and found no reason that moving this ordinance forward now would conflict with its broader review of the entire subject of seismic upgrade triggers in existing buildings.

Item 5 - File 114-92-10

Item: Ordinance amending San Francisco Building Code Sections 4306(i) and 5406(c) to require fire-resistive glazing to conform with safety glazing requirements in human impact locations (glazing materials are glass and the framing around the glass).

Description: Section 4306 of the San Francisco Building Code pertains to fire prevention and deterrence requirements for the construction of glazing material fixtures that are installed in doors and windows. Section 4306(i) requires that glass or glass block fixtures used in the construction of fire doors and fire windows shall meet tests and be installed in accordance with the Uniform Building Code.

Section 5406 of the San Francisco Building Code pertains to safety requirements for the construction of glazing materials in areas including entrance and exit doors, fixed and sliding panels of sliding doors, glass panels in swinging doors, storm doors, doors in hot tubs, whirlpools, saunas, steam rooms, bathtubs and showers and glass panels adjacent to a door. Section 5406(c) requires that glazing used in these areas shall meet tests and be installed in accordance with the Uniform Building Code.

The proposed amendments would cross-reference Section 4306(i) and Section 5406(c) of the San Francisco Building Code in order to require that any glazing construction must meet both fire prevention and deterrence and safety requirements included in these two sections of the San Francisco Building Code.

Comment: Mr. Larry Litchfield of the Department of Public Works, Bureau of Building Inspection (BBI) indicates that the proposed amendments are of a technical nature, would clarify the San Francisco Building Code by cross-referrencing two sections regarding glazing requirements and would bring the San Francisco Building Code into compliance with the Federal Consumer Products Safety Commission's safety glazing standards for architectural glazing materials. According to Mr. Litchfield, the proposed amendments would not result in any additional cost for BBI.

Recommendation: Approve the proposed resolution.

Harvey M. Rose

cc: Supervisor Migden
Supervisor Maher
Supervisor Shelley
President Alioto
Supervisor Achtenberg
Supervisor Bierman
Supervisor Conroy
Supervisor Hallinan
Supervisor Hsieh
Supervisor Kaufman
Supervisor Kennedy
Clerk of the Board
Chief Administrative Officer
Controller
Teresa Serata
Barbara Kolesar
Ted Lakey

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ATTN: Jane Hudson

CITY AND COUNTY OF SAN FRANCISCO

BOARD OF SUPERVISORS

BUDGET ANALYST
1390 MARKET STREET, SUITE 1025
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June 15, 1993

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TO: Housing and Land Use Committee

FROM: Budget Analyst Recommendations

SUBJECT: June 17, 1993 Housing and Land Use Committee Meeting

Item 1 - File 115-93-6

Department: City Planning

Item: Ordinance amending Part II, Chapter II of the San Francisco Municipal Code (City Planning Code) by amending Section 790.102 to add a new subsection, 720.102(n), to add Coffeehouses to the category of Sales and Service, Other Retail, Specialty Grocery in Neighborhood Commercial Districts; adopting findings pursuant to City Planning Code Section 101.1.

Description: Section 790.102 of the Planning Code pertains to goods and services provided by establishments including general or specialty groceries, pharmaceuticals, self-service laundromats and dry cleaning, household goods and services, variety merchandise, and other goods and services.

Currently, in the Neighborhood Commercial Districts, consumption of coffee or other nonalcoholic beverages on the premises of an establishment is not permitted unless the establishment qualifies as a full-service restaurant (pursuant to Section 790.92), a large, fast-food restaurant (pursuant to Section 790.90), or a small, self-service restaurant (pursuant to Section 790.91). Because coffeehouses, which sell coffee beans and products, fresh coffee, and other beverages, do not have the characteristics of such restaurants, they are closer to the

Sales and Service, Other Retail, Specialty Grocery category defined by Planning Code Section 790.102(b). However, sitting or on-premises consumption of products sold by these coffeehouses is not permitted for establishments within this category of the Planning Code.

In order to comply with these Planning Code Sections, coffeehouses are required either to attempt to qualify as a type of restaurant, which they are not, or to disallow the consumption of coffee on the premises. The coffeehouse proprietor must therefore prohibit a customer from standing or sitting within the establishment while consuming the coffee or other beverage purchased.

The proposed ordinance would amend the City Planning Code to add Subsection 790.102(n), which would permit the on-premises consumption of coffee and similar beverages and small food stuffs in coffeehouses. The term "coffeehouses" would narrowly define the operations that coffeehouses would be permitted to undertake. Specifically, coffeehouses would be permitted to allow the consumption of coffee and other nonalcoholic beverages on the premises, would be able to provide limited seating, and would be permitted to sell minor, typical small food goods. The proposed amendment would prohibit on-site food preparation (other than that connected with the preparation of beverages).

Comment: The net effect of the proposed ordinance would be to reduce administrative costs to the City and to potentially provide the City with additional tax revenue, according to Mr. Robert Passmore, the Zoning Administrator. Mr. Passmore advises that any additional costs involved in enforcing the amended Code would be more than offset by administrative savings. Currently, cases involving coffeehouses require a special review process before the Planning Commission, an analysis by the Commission staff, and a public hearing. Mr. Passmore reports that under the amended Code, this special review process would no longer be required, thus streamlining government. Mr. Passmore further reports that coffeehouse proprietors, no longer hindered by cumbersome government procedures, could open their businesses more quickly and/or offer more services to their customers. As a result, business tax revenues to the government would likely increase, according to Mr. Passmore.

Recommendation: Approval of the proposed ordinance is a policy matter for the Board of Supervisors.

Items 2 and 3 - Files 123-93-1 and 123-93-4

Notes: Item 2 (File 123-93-1) was continued by the Housing and Land Use Committee at its meeting of June 3, 1993.

Department: Department of Public Works (DPW)

Items: Item 2 (File 123-93-1) is an ordinance to amend Article 5.2 of the Public Works Code by deleting Sections 176 through 182 in their entirety and by adding new Sections 176 through 185, pertaining to outside cafe table and chairs permits.

Item 3 (File 123-93-4) is an ordinance to amend Article 5.2 of the Public Works Code by deleting Sections 176 through 182 in their entirety and by adding new Sections 176 and 177. The Author's office advises that an Amendment of the Whole pertaining to this proposed legislation will be presented to the Board of Supervisors. The Budget Analyst's report is based upon the original legislation submitted.

Background: The proposed ordinances would amend Article 5.2 of the Public Works Code by deleting Sections 176 through 182, which are the current regulations regarding the outdoor tables and chairs permit process. Presently, each permit application requires a one-time application (processing) fee of $438 ($322 DPW Application Fee plus $116 Planning Department Processing Fee) which includes funding for an automatic public hearing for each permit application to allow for public input on whether or not a permit should be granted, regardless of whether or not there is opposition. The $322 DPW application fee provides funds for the costs associated with the issuance, review, and processing of permit applications. The $116 City Planning Department processing fee provides funding to make findings pursuant to Proposition M requirements.

The $438 application fee is non-refundable even if an applicant is denied a permit. If a permit is approved, the applicant must also pay an annual user-fee of $360, regardless of the number of tables and chairs to be placed on the sidewalk. The current fee schedule is as follows:

One-Time Fees:	
DPW Application Fee	$322
Planning Dept. Processing Fee	116
Annual Fees:	
User-Fee	360

The two proposed ordinances are two different alternatives to amending the outdoor tables and chairs permit application process.

Description: Alternative 1 - Item 2 (File 123-93-1)

1. The proposed ordinance would establish new Sections 176 through 185 which would provide for a revised cafe tables and chairs permit process by 1) eliminating the application fee entirely, 2) abolishing the current $360 annual user-fee, 3) establishing a monthly user-fee of $3 per chair, with a minimum of $100 per year and a maximum of $360 per year, 4) establishing a $100 fine for each infraction of the proposed guidelines and 5) establishing that the nonpayment of the $100 fine would be grounds for the Director of DPW to prohibit placement of tables and chairs by the said business establishment until the penalty has been paid. A comparison of the current and proposed fees schedules are as follows:

	Current	Proposed
One-Time Fees:		
DPW Application Fee	$322	0
Planning Dept. Processing Fee	116	0
Annual Fees:		
User-Fee	360	0
Per Chair (paid monthly)	-	$36
-Minimum	-	100
-Maximum	-	360

2. In conjunction with the City Planning Department, the Department of Parking and Traffic (DPT), the Interdepartmental Staff Committee on Traffic and Transportation (ISCOTT) and the Police Department, the DPW has drafted a revised permit process which involves newly created permit applicant guidelines. If an individual does not meet the guidelines, the applicant may apply for special review and approval of his/her proposed cafe tables and chairs permit application. The DPW would then submit the application to the ISCOTT for special review.

3. The proposed revised permit process that would eliminate City Planning's role in the process as well as the $116 processing fee, has the support of the Department, according to Mr. Evan Rose of the City Planning Department. Mr. Rose advises that although the proposed revised permit process would streamline the permit process for all departments involved, the departments with staff representatives on the ISCOTT would have no way to fund special reviews of those applications that require them, as mentioned above.

4. Ms. Denise Brady of the DPW reports that the average turnaround time for the current permit process is between two and three months. The major time consuming factor is the required public hearing. The turnaround time for the proposed revised permit process is estimated to be approximately three weeks. Under the proposed revised permit process, public hearings would be conducted only if there is public objection regarding a particular applicant. If an applicant meets the pre-approved guidelines, a public notice pertaining to the application of the permit would be posted at the applicable restaurant for 10 days. If there are no objections from the public during this 10 day period, the application process would continue. If there is public objection, a public hearing would be held by DPW.

5. Ms. Brady advises that in order not to significantly disrupt pedestrian traffic on City sidewalks, the proposed revised permit process would require restaurant establishments to place diverters around the areas in which tables and chairs are located to delineate restaurant sidewalk space from pedestrian walking space. These diverters are to be provided by the applicant (at no cost to the City) and are to be removed by the applicant at the end of each day, in addition to the removal of tables and chairs at the end of each day. If it is determined that tables and chair present a clear and present danger to the public, DPW would be authorized to remove or impound the tables and chairs.

6. According to Ms. Brady, approximately 20 restaurants, with a total of approximately 275 chairs, currently have annual permits from DPW for placing tables and chairs on sidewalks. The revenues generated by the proposed $3 per chair monthly fee ($100 annual minimum and $360 annual maximum) is estimated to be $6,120 annually, or $1,080 less than the $7,200 ($360 x 20 restaurants) annually lost by abolishing the current user-fee. User-fee revenues are for purposes of covering costs of enforcing permit regulations. Ms. Brady advises that $6,120 is currently still sufficient for the DPW to effectively enforce the proposed permit process regulations for the current number of permit holders (20).

7. Ms. Brady estimates that it would cost the DPW approximately $32,000 to bring all current and potential users of outdoor tables and chairs into compliance with the proposed guidelines included in Alternative 1, as there are many restaurants that place tables and chairs outside although they do not have a permit. This $32,000 estimate is based on the current levels of use and interest in outdoor tables and chairs.

In addition to the one-time $32,000, an estimated annual $20,000 in enforcement activity could also be expected given the high level of interest by restaurant-owners.

8. In contrast to the proposed fees to be used for enforcement purposes, Ms. Brady reports that since the proposed ordinance would eliminate the application and processing fees, the DPW would not recover its costs for issuing, reviewing and processing permit applications. The DPW advises that the Department expects to receive numerous applications as a result of increased interest in table and chair permits.

9. Under the proposed ordinance, a small restaurant with only one table and four chairs outside would no longer be required to pay the same user-fee ($360) as a larger restaurant with 20 tables and 40 chairs outside. The small restaurant with only one table and four chairs would pay $144 ($3 x 4 chairs x 12 months) as opposed to the current $360 annual fee.

Alternative 2 - Item 3 (File 123-93-4)

1. The proposed ordinance would establish new Sections 176 and 177 which would establish certain guidelines pertaining to the outside placement of tables and chairs. Alternative 2 would also do the following: 1) eliminate the requirement that an owner of a business establishment obtain a permit in order to place tables and chairs outdoors, 2) eliminate the $322 application and $116 processing fees, 3) eliminate the $360 annual user-fee, 4) establish a $50 fine for a business' first infraction of the proposed guidelines, a $75 fine for a second infraction within one year, and a $100 fine for a third infraction within one year and for each violation thereafter, and 5) establish that the nonpayment of fines would be grounds for the Director of DPW to prohibit the placement of tables and chairs outside by the said business for a period of six months. The proposed fee schedule is as follows:

	Current	Proposed
One-Time Fees:		
DPW Application Fee	$322	0
Planning Dept. Processing Fee	116	0
Annual Fees:		
User-Fee	360	0

2. According to the Author's office, the City may be spending more in collecting application and user-fees than the actual revenues generated and that the incentive provided to businesses for placing tables and chairs outside, without the requirement of a permit, would actually increase the General

Fund through increased Payroll-Gross Receipt Taxes. According to the Author's office, Payroll-Gross Receipt Taxes would increase due to a greater demand in restaurant business resulting from the placement of tables and chairs outside. Ms. Brady advises that $60 of the $360 user-fee is used to cover DPW administrative costs of collecting fees and the remaining $300 is used for enforcement activities.

3. According to Ms. Brady, this alternative does not provide for the revenues which are needed to enforce the proposed guidelines since no fees would be collected. The revenues generated by the current annual user-fees are approximately $7,200 which provides for the costs associated with enforcing permit regulations. Ms. Brady estimates enforcement costs are directly proportionate to the amount of revenue collected. The loss of such revenue would prohibit the DPW from enforcing the proposed guidelines, according to Ms. Brady.

4. Ms. Brady estimates that it would cost the DPW approximately $32,000 dollars to bring all the current and potential users of outdoor tables and chairs into compliance with the proposed guidelines included in Alternative 2. This $32,000 estimate is based on the current levels of use and interest in outdoor tables and chairs. In addition to the one-time $32,000, an estimated $20,000 in enforcement activity could also be expected annually, according to Ms. Brady.

5. Ms. Brady reports that although the penalties cited in each proposed ordinance would be considered infractions, the DPW would not be authorized to enforce the penalties under Alternative 2 because infractions are an offense that are legally handled by the Police Department. However, the DPW advises that under a permit process (such as Alternative 1), the permit itself allows the DPW options for enforcement, such as removing or impounding tables and chairs. Because Alternative 2 does not embody a permit process, the DPW would be required to involve the Police Department in enforcement efforts.

Recommendation: Approval of the proposed ordinances is a policy matter for the Board of Supervisors.

Item 4 - File 206-93-1

Note: This item was continued at the February 18, 1993 Housing and Land Use Committee Meeting.

1. This item is a hearing to consider the eviction policy of the San Francisco Housing Authority.

2. The San Francisco Housing Authority (SFHA) Eviction Policy is included as part of the SFHA's Policies Governing Resident Admission and Continued Occupancy dated September 1992.

3. The SFHA Eviction Policy contains the following provisions:

- the SFHA shall not terminate or refuse to renew the Dwelling Lease, other than for serious or repeated violations of material terms of the lease, such as the failure to make payments due under the lease, to fulfill the resident obligations as set forth in the lease, the violation of other provisions of the lease or for other good cause;

- families are considered habitually late when they fail to pay rent, when due, three (3) times within a consecutive twelve (12) month period. This situation shall be considered a "repeated violation" of a material term of the lease and shall be a basis for eviction.

- every reasonable and diligent administrative effort will be made by the SFHA to avoid eviction. Before the SFHA may take action to terminate the lease and evict a family for any cause, it shall give adequate administrative notice before pursuing appropriate legal actions. Adequate notice shall be as follows:

    a. fourteen (14) days in the case of failure to pay rent;

    b. three (3) days in the case of a creation or maintenance of an act that threatens the health or safety of other tenants, SFHA employees or the general public; and

    c. thirty (30) days in all other cases.

4. The SFHA's General Counsel has developed a "Property Manager's Eviction Procedures Manual", dated August 1986, to provide step-by-step procedures for property management staff to follow in legally terminating a lease and/or removing tenants and other occupants from their apartment units.

5. According to the Property Manager's Eviction Procedures Manual, if the person on the property has signed a lease with the SFHA, the person is classified as a tenant and the SFHA must follow the full civil eviction procedure as required by law. Also, if the person living on the premises claims to have permission from the tenant to remain there, or has an agreement with the tenant, wherein that person is to pay the rent due either to the tenant or to the SFHA, the Court

requires that both the tenant, and the person with permission to live in the tenant's unit, be given the benefit of the doubt, and that the SFHA is to follow the full civil eviction procedure, even though the SFHA lease prohibits subletting or assignment of the lease.

6. The SFHA eviction procedure is a legal process known as an Unlawful Detainer action, designed to regain possession of real property and evict tenants and/or their sub-tenants. .

7. The leases of the SFHA state that the tenants will not be terminated for other than serious or repeated violations of the material terms of the lease. This means that for serious violations, one incident is sufficient to formulate a basis for termination. Those lease violations, which are serious, are typically those which either involve substantial risk or harm to persons or property; or which form the major responsibility under the lease. They include:

- failure to pay rent, engaging in illegal activity on SFHA property and failure to report and furnish information for rent reexamination;
- creation or maintenance of a threat to the health or safety of other tenants or SFHA employees;
- subleasing or assignment of the unit;
- failure to report major changes of income; and
- causing major damage or destruction to the unit.

Comments:

1. In a progress report dated December 14, 1989, to the Commissioners of the San Francisco Housing Authority, Mr. David Gilmore, Executive Director states on page 5 that "because we (SFHA) are housing of last resort, we limit eviction to only the most extreme circumstances." Mr. Gilmore states further on page 26 that "because of the devastating impact of eviction, it is essential that we impose the penalty as an absolute last resort except where it results from criminal activity. We must be prepared to assist residents who fall into arrears in rent or are unable to maintain a household in acceptable condition."

2. On September 5, 1990, Mr. Gilmore advised the SFHA Commission that the number of delinquent rent cases has continued to increase despite SFHA staff efforts to assist tenants with home visits and consultations and with increased activity of the SFHA Legal Division. Mr. Gilmore further advised the SFHA Commission that eviction action had been initiated against approximately 7 tenants a week and that an average of 4 tenants a week were evicted.

3. Mr. Gilmore reported to the SFHA Commission on July 1, 1991, that the expeditious processing of delinquent rent cases has resulted in both increased collections of rent and an increased number of executed stipulated agreements in Municipal Court. A stipulated agreement is an agreement between the SFHA and the SFHA tenant in which the tenant admits owing back rent, agrees to its repayment and gives up the right of dwelling unit occupancy. The agreement is filed in court as a judgment. If the tenant does not comply with the stipulated agreement, the SFHA has the right to evict the tenant without benefit of trial.

4. On April 10, 1992, the SFHA General Counsel reported in the Executive's Director Semi-Annual Report that the processing timeframe for eviction actions has been reduced significantly because of the more diligent work of the property managers to assemble legal documents and to submit completed documentation for evictions to the SFHA Legal Department. In order to process an increasing number of eviction cases in Municipal Court, the SFHA Legal Department has hired two additional legal clerks.

5. According to data compiled by the SFHA Legal Department, during the last fiscal year (October 1991 through September 1992), the SFHA filed a total of 435 eviction complaints with the Municipal Court and completed a total of 134 evictions as the result of SFHA initiated court action complaints.

Harvey M. Rose

cc: Supervisor Bierman
Supervisor Maher
Supervisor Shelley
President Alioto
Supervisor Conroy
Supervisor Hallinan
Supervisor Hsieh
Supervisor Kaufman
Supervisor Kennedy
Supervisor Leal
Supervisor Migden
Clerk of the Board
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HOUSING AND LAND USE COMMITTEE
BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

THURSDAY, JUNE 17, 1993 - 10:00 a.m. City Hall, Room 228

PRESENT: SUPERVISORS BIERMAN AND MAHER

ABSENT: SUPERVISOR SHELLEY

ACTING CLERK: GAIL JOHNSON

1. File 115-93-6. [Coffeehouses] Ordinance amending City Planning Code by amending Section 790.102 to add a new subsection 190.102(n) to add Coffeehouses to the category of sales and services, other retail in Neighborhood Commercial Districts; adopting findings pursuant to City Planning Code Section 101.1. (Supervisors Alioto, Conroy)

   ACTION: RECOMMENDED.

2. File 123-93-1. [Cafe Tables and Chairs] Ordinance amending Public Works Code, Article 5.2, by deleting Sections 176 through 182 inclusive, by adding new Sections 176 through 185 thereto, authorizing the Director of the Department of Public Works to issue sidewalk cafe permits; requiring owners or operators of business establishments seeking to occupy a portion of a public sidewalk, court, alley or street with tables and chairs for customers to obtain a cafe tables and chairs permit; authorizing the Director of the Department of Public Works to establish guidelines for cafe tables and chairs; requiring permit applicants to post notice of intent to place cafe tables and chairs on the business premises; establishing process for protest and appeal of denial of permit; setting conditions and restrictions of permits; establishing penalties and remedies for failure to comply with said Article. (Supervisor Alioto)

   (Consideration continued from 6/3/93)

ACTION: Amendment of the Whole, as presented by Supervisor Alioto, adopted. To Board Without Recommendation. New title: "[Cafe Tables and Chairs] Amending Public Works Code, Article 5.2, by deleting Sections 176 through 182 inclusive, by adding new Sections 176 through 176.9 thereto, authorizing the Director of the Department of Public Works to issue sidewalk cafe permits; requiring owners or operators of business establishments seeking to occupy a portion of a public sidewalk, court, alley or street with tables and chairs for customers to obtain a cafe tables and chairs permit; authorizing the Director of the Department of Public Works to establish guidelines for cafe tables and chairs; requiring permit applicants to post notice of intent to place cafe tables and chairs on the business premises; establishing process for protest and appeal of denial of permit; setting conditions and restrictions on permits; providing for suspension or revocation of permits; establishing penalties and remedies for failure to comply with said Article."

3. File 123-93-4. [Sidewalk Cafes] Ordinance amending the San Francisco Public Works Code, Article 5.2, by deleting Sections 176 through 182 inclusive and by adding new Sections 176 and 177 thereto, eliminating the requirement that an owner or operator of a business establishment obtain a permit in order to occupy any portion of the public sidewalk or roadway with tables and chairs; removing from the Director of Public Works the authority to issue permits for the placement of tables and chairs in the public sidewalk or roadway in front of business establishments; eliminating all fees required to be paid for permits to place tables and chairs in the public sidewalk or roadway; removing from the Director of Public Works the authority to suspend or revoke permits to place tables and chairs; eliminating the availability of appeal to the Board of Permit Appeals for denial of a permit; establishing the conditions and restrictions for the maintenance of tables and chairs in front of business establishments; authorizing the Department of Public Works to establish guidelines for the placement of tables and chairs in the public sidewalk; authorizing the Department of Public Works to enforce minimum guidelines for the placement of tables and chairs; establishing penalties for failure to comply with said guidelines; authorizing the Department of Public Works to seize tables and chairs in the public sidewalk or roadway posing an immediate and serious danger to persons or property. (Supervisor Maher)

FISCAL IMPACT

ACTION: Amendment of the Whole bearing same title, as presented by Supervisor Maher, adopted. To Board Without Recommendation. Transferred to Budget Committee for review and consideration.

4. File 206-93-1. Hearing to consider the eviction policy of the San Francisco Housing Authority. (Supervisors Hallinan, Kaufman, Bierman)

(Consideration continued from 2/18/93)

ACTION: Continued to the Call of the Chair (at the request of sponsor).

CALENDAR
REGULAR MEETING
HOUSING AND LAND USE COMMITTEE
BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

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PRESENT: SUPERVISORS BIERMAN, MAHER, SHELLEY

CLERK: JONI BLANCHARD

CONSENT CALENDAR

1. All matters listed hereunder constitute a Consent Calendar, are considered routine by the Committee, and will be acted upon by a single roll call vote of Committee. There will be no separate discussion of items unless a member of Committee or the public so requests, in which event the matter shall be removed from Consent Calendar and considered as a separate item.

a. File 19-93-6. [Parking Regulations] Recommending establishment and extending regulations at various locations; DPT Order No. 407. (Department of Parking & Traffic)

Parking Meter Area 3 (2-hour parking time limit, Monday through Saturday, 7:00 a.m. to 6:00 p.m.) - Extend
Geary Boulevard, north side, between Lyon Street and Masonic Avenue.
Geary Boulevard, south side, between Presidio and St. Joseph's Avenue.
Lyon Street, both sides, between Geary Boulevard and O'Farrell Street.
O'Farrell Street, north side, between Lyon Street and St. Joseph's Avenue.
Masonic Avenue, west side, 60 feet southerly from Geary Boulevard.

Parking Meter Area 3 (1-hour parking time limit, Monday through Saturday, 7:00 a.m. to 6:00 p.m.) - Extend
Green Street, both sides, between Front and Battery Streets.
Union Street, both sides, between Sansome and Battery Streets.
Union Street, south side, between Battery and Front Streets.
Sansome Street, both sides, between Green Street and Broadway.
Battery Street, east side, between Union Street and Broadway.
Battery Street, west side, between Green Street and Broadway.
Front Street, both sides, between Vallejo Street and Broadway.
Fillmore Street, east side, between O'Farrell Street and Golden Gate Avenue.
Fillmore Street, west side, between O'Farrell and McAllister Streets.
9th Street, both sides, between Brannan and Bryant Streets.

Parking Meter Area 3 (Short-term metered parking, Monday through Saturday, 7 a.m. to 6 p.m.) - Extend
Holloway Avenue, north side, from Valera Avenue to 300 feet east of Arellano Avenue (converts existing green zones to metered green zones).

Shuttle Bus Parking Only (6 a.m. - 11 p.m., Monday through Friday) - Establish
19th Avenue, west side, from 280 feet to 320 feet north of Holloway Avenue.
19th Avenue, west side, from 770 to 880 south of Buckingham Way (near Hensill Hall).
Holloway Avenue, north side, from 20 feet to 50 feet east of Tapia Drive.

b. File 20-93-5. [Traffic Regulations] Recommending establishment of traffic regulations, various streets; DPT Order No. 407. (Department of Parking & Traffic)

Transit Only Lanes - Establish
O'Farrell Street, south side, between Jones and Powell Streets.
Geary Street, north side, between Kearny and Powell Streets.
Post Street, south side, between Taylor and Grant Streets.
Sutter Street, north side, between Kearny and Stockton Streets.

Transit Only Lanes, 7 a.m. to 9 a.m., Monday through Friday - Establish
O'Farrell Street, south side, between Hyde and Jones Streets.

Transit Only Lanes, 3 p.m. to 6 p.m., Monday through Friday - Establish
Sutter Street, north side, between Sansome and Kearny Streets.

c. File 18-93-5. [Stop Intersections] Recommending establishment and revocation of Stop Signs at various locations; DPT Order No. 430. (Department of Parking & Traffic)

Stop Signs - Establish
18th and Capp Streets, northeast and southwest corners, stopping 18th Street traffic (makes this an all-way STOP).
19th and Capp Streets, northeast and southwest corners, stopping 19th Street traffic (makes this an all-way STOP).
22nd Street and Treat Avenue, northeast and southwest corners, stopping 22nd Street traffic (makes this an all-way STOP).
22nd and Pennsylvania Streets, northeast and southwest corners, stopping 22nd Street traffic (makes this an all-way STOP).

Filbert and Buchanan Streets, northeast and southwest corners, stopping Filbert Street traffic (makes this an all-way STOP).
29th Avenue and Pacheco Street, northwest and southeast corners, stopping 29th Avenue traffic (presently uncontrolled).
29th Street and Tiffany Avenue, northwest corner, stopping southbound Tiffany Avenue traffic (presently uncontrolled, stops the stem of this T-intersection).
Elizabeth and Sanchez Streets, southwest corner, stopping eastbound Elizabeth Street traffic (makes this an all-way STOP).
Crescent Avenue and Putnam Street, southwest corner, stopping eastbound Crescent Avenue traffic.
Mt. Vernon and Cayuga Avenues, northwest and southeast corners, stopping Cayuga Avenue traffic (makes this an all-way STOP).
Watson Place and Ocean Avenue, southeast corner, stopping northbound Watson Place traffic (presently uncontrolled, stops the stem of this T-intersection).
Silver Avenue and University Street, northeast and southwest corners, stopping Silver Avenue traffic (makes this an all-way STOP).
14th and Harrison Streets, southwest corner, stopping eastbound 14th Street traffic (presently uncontrolled, stops the stem of this T-intersection).
22nd Avenue and Ulloa Street, northwest and southeast corners, stopping 22nd Street traffic (makes this an all-way STOP).
21st Avenue and Cabrillo Street, northwest and southeast corners, stopping 21st Avenue traffic (makes this an all-way STOP).
19th and Yukon Streets, northwest, northeast and southeast corners, stopping all approaches (makes this an all-way STOP).
Eagle and Yukon Streets, northwest, southwest, and southeast corners, stopping all approaches (makes this an all-way STOP).
Cambridge and Wayland Streets, northeast and southwest corners, stopping Cambridge Street traffic (makes this an all-way STOP).
Scott and Eddy Streets, northeast and southwest corners, stopping Eddy Street traffic (makes this an all-way STOP).
Loomis Street, Barneveld Avenue, and McKinnon Avenue, all corners, all approaches (makes this an all-way STOP).

Stop Signs - Rescind
Linden and Octavia Streets, southwest corner, stopping Linden Street traffic.

d. File 19-93-7. [Parking Regulations] Recommending establishment and extension of parking regulations at various locations; DPT Order No. 430.

Tow-Away, No Parking Anytime - Establish
Montgomery Street, east side, from 71 feet to 111 feet south of Chestnut Street (40-foot zone just north of driveway at 1680 Montgomery Street, effective from 6 a.m. to 8 a.m., Monday through Friday).

Parking Meter Area No. 3 (1-hour parking time limit, Monday through Saturday, 9:00 a.m. - 6:00 p.m.) - Extend
Stevenson Street, south side, between 5th and 6th Streets.
Folsom Street, south side, between 3rd and 4th Streets.
Folsom Street, both sides, between 1st and 2nd Streets.
1st Street, both sides, between Folsom and Harrison Streets.
Fremont Street, both sides, between Folsom and Harrison Streets.
Geary Boulevard, north side, between Laguna and Webster Streets.

Parking Meter Area No. 3 (2-hour parking time limit, Monday through Saturday, 9:00 a.m. - 6:00 p.m.) - Extend
Essex Street, both sides, between Folsom and Harrison Streets.
Harrison Street, both sides, between 2nd and 3rd Streets.
Hawthorne Street, both sides, between Folsom and Harrison Streets.

Perpendicular (90-degree) Parking - Establish
Wisconsin Street, west side, between 16th and 17th Streets.

e. File 20-93-6. [Traffic Regulations] Recommending extension, establishment and revocation of traffic regulations, various streets; DPT Order No. 430.

Green Zone - Time Extension
Frederick Street, north side, from 78 feet to 98 feet west of Stanyan Street (20-foot zone at 520 Frederick Street, extends existing hours of operation to include hours from 6:00 p.m. to 10:30 p.m., Monday through Saturday, and from 9:00 a.m. to 10:30 p.m., Sunday).

Left Turn Prohibition (MUNI Excepted) - Establish
Van Ness Avenue, northbound and southbound, at Market Street (replaces part-time left turn prohibition).

Left Lane Must Turn Left - Rescind
Washington Street, westbound, at Battery Street.

f. File 40-93-4. [Parking of Vehicles] Resolution extending the boundaries of Residential Permit Parking Area "P" in the Anza Vista/Beideman area; and adding to the list of streets upon which time limitations shall apply. (Department of Parking and Traffic)

ACTION:

2. File 34-93-4. [Width of Sidewalk] Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalk" by adding thereto Section 1511 changing the official widths of sidewalk on the northeast corner of Brannan and Eighth Streets; and making findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

   ACTION:

3. File 164-93-1. [Street Vacation] Resolution declaring intention of Board of Supervisors to vacate and sell a portion of Yosemite Avenue south of Williams Avenue and a portion of Armstrong Avenue east of Newhall Street; and setting the hearing for all persons interested in the proposed vacation and sale; companion measure to File 164-93-1.1 (Real Estate Department)

   ACTION:

4. File 164-93-1.1. [Street Vacation] Ordinance ordering vacation and sale of a portion of Yosemite Avenue south of Williams Avenue and a portion of Armstrong Avenue east of Newhall Street; and adopting findings pursuant to City Planning Code Section 101.1; companion measure to File 164-93-1. (Real Estate Department)

   FISCAL IMPACT

   ACTION:

5. File 114-93-5. [Building Code Violations] Resolution urging his Honor, the Mayor, and the Chief Administrative Officer, to urge all enforcing officers and employees under their respective jursidictions to provide notice to tenants in possession of pending abatement proceedings against property owners by posting official notice at the property that is the subject of the abatement proceedings. (Supervisor Bierman)

   ACTION:

6. File 109-93-3. [Rent Ordinance] Ordinance amending Administrative Code by amending Section 37.2 to exempt from Chapter 37 dwelling units solely owned by a non-profit public benefit corporation in which a majority of its governing body are residents of the dwelling units and whose bylaws require rent increases be approved by a majority of residents of the dwelling units. (Supervisor Bierman)

   ACTION:

Housing & Land Use Committee
Board of Supervisors
City Hall, Room 235
San Francisco, CA 94102

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BOARD OF SUPERVISORS

BUDGET ANALYST
1390 MARKET STREET, SUITE 1025
SAN FRANCISCO, CALIFORNIA 94102 • TELEPHONE (415) 554-7642

June 29, 1993

TO: Housing and Land Use Committee

FROM: Budget Analyst *Recommendations.*

SUBJECT: July 1, 1993 Housing and Land Use Committee Meeting

Items 3 and 4 - Files 164-93-1 and 164-93-1.1

Department:	Real Estate Department
Items:	Item 3 (File 164-93-1) Resolution declaring the intention of the Board of Supervisors to vacate and sell a portion of Yosemite Avenue south of Williams Avenue and a portion of Armstrong Avenue east of Newhall Street, and setting the hearing for all persons interested in the proposed vacation and sale. Item 4 (File 164-93-1.1) Ordinance ordering the vacation and sale of a portion of Yosemite Avenue south of Williams Avenue and a portion of Armstrong Avenue east of Newhall Street, and adopting findings pursuant to City Planning Code Section 101.1.
Amount:	$64,000
Description:	The Real Estate Department reports that the developer of Portola Place Subdivision, a private development of 259 single-dwelling homes, has requested the vacation and sale of a portion of Yosemite Avenue south of Williams Avenue and the vacation and sale of a portion of Armstrong Avenue east of Newhall Street. The developer has requested these two vacations in order to provide access to the subdivision, as well as to acquire a needed portion of building space and an area to be used for landscaping. The developer would

purchase the Yosemite Street vacation at a cost of $26,328 (4,787 sq. ft. x $5.50/per square foot) and the Armstrong vacation at a cost of $37,672 (1,903 sq. ft. x $19.79/per square foot), for a total cost of $64,000. According to the Real Estate Department, the $26,328 and the $37,672 purchase amounts represent the fair market values for the Yosemite Street and Armstrong Street vacations respectively. The Real Estate Department advises that the two streets to be vacated are undeveloped streets and are unnecessary for present or prospective public use. The Department of Pubic Works has determined that there are no objections to the proposed street vacations and sales.

The Department of City Planning reports that the proposed two vacations are in conformity with the Master Plan and are consistent with the Eight Priority Policies of Planning Code Section 101.1.

Comments: 1. The proposed resolution (File 164-93-1) would schedule a hearing regarding the proposed vacations. Therefore, if the Housing and Land Use Committee wishes to approve the proposed resolution, the legislation should be amended to set the date, hour and place of the hearing.

2. If the finding by the Board of Supervisors at the public hearing is in favor of vacating that portion of Yosemite Street as well as that portion of Armstrong Street, the proposed ordinance (File 164-93-1.1), which authorizes these vacations, would then be considered by the Board of Supervisors.

Recommendations: 1. Amend the proposed resolution to set the date, hour and place of the public hearing (File 164-93-1) and approve as amended.

2. Refer the proposed ordinance to the Board of Supervisors without recommendation (File 164-93-1.1).

Item 6 - File 109-93-3

Note: This item was continued at the May 20, 1993 Housing and Land Use Committee Meeting.

Department: Rent Board

Item: Ordinance to amend the San Francisco Administrative Code by amending Section 37.2 (p) to exempt from rent controls contained in Chapter 37, dwelling units solely owned by a non-profit public benefit corporation in which a majority of its governing body are residents of the dwelling units and whose bylaws require rent increases be approved by a majority of residents of the dwelling units. Pursuant to Section 5110 et. sec. of the California Corporation Code, a non-profit public benefit corporation is a non-profit entity which is established for any public or charitable purposes. If a non-profit public benefit corporation raises money, the money will go to a charity or to the State. Non-profit public benefit corporations are unique from other non-profit organizations in that the property of the corporation is owned by the members of the corporation. All members have voting rights to determine matters pertaining to the property.

Description: The proposed ordinance would provide for changes pertaining to the Residential Rent Stabilization and Arbitration Ordinance (Rent Control Ordinance). The proposed changes are intended to safeguard tenants from excessive rent increases and, at the same time, to assure landlords fair and adequate rents consistent with Federal Anti-Inflation Guidelines.

Section 37.2 (p) entitled Definitions -Rental Units, currently provides that the following are excluded from the definition of Rental Units and are therefore excluded from the Rent Ordinance: 1) Housing accommodations in hotels, motels, inns, tourist houses, rooming and boarding houses, provided that if an accommodation has been occupied by a tenant for 32 days or more, such accommodation shall become a rental unit subject to the provisions of this chapter; 2) Dwelling units in nonprofit cooperatives owned, occupied and controlled by a majority of the residents; 3) Housing accommodations in any hospital, convent, monastery, extended care facility, asylum, non-profit home for the aged, or in dormitories owned and operated by an institution of higher education, a high school, or an elementary school; 4) Dwelling units whose rents are already controlled or regulated by any government unit, agency or authority, excepting those unsubsidized and/or unassisted units which are insured by the U.S. Department of Housing and Urban

Development; 5) Owner-occupied buildings containing four residential rental units or less, wherein the owner has resided for at least six months; 6) Rental units located in a structure for which a certificate of occupancy was first issued after the effective date (June 13, 1979) of the Rent Control Ordinance; and 7) Dwelling units in a building which has undergone substantial rehabilitation after the effective date of this ordinance.

The proposed ordinance would amend the second exclusion, Section 37.2 (p) - 2 by identifying an additional class of non-profit owned, operated and controlled dwelling units that would not be subject to the provisions of the Rent Ordinance. It would exempt from the rules and regulations of the Rent Ordinance dwelling units owned by a non-profit public benefit corporation, as long as the following conditions are satisfied: 1) a majority of the Board of Directors of the corporation are also residents of the dwelling units and; 2) the bylaws of the corporation require that rent increases for occupancy of the dwelling units must be approved by a majority of the residents. The proposed amended Section 37.2 (p) - 2 would exempt from rent control: "Dwelling units in non-profit cooperatives owned, occupied and controlled by a majority of the residents or dwelling units solely owned by a non-profit benefit corporation governed by a board of directors the majority of which are residents of the dwelling units and where it is required in the corporate by-laws that rent increases be approved by a majority of the residents."

Comment:

1. Ms. Delene Wolf of the Rent Board advises that dwelling units solely owned by a non-profit public benefit corporation described above should be exempt from the Rent Control Ordinance because the majority of the owners of the corporation are also tenants. Ms. Wolf reports that these owners elect the Board of Directors, the majority of which must also be residents of the dwelling. Ms. Wolf states that when the Board of Directors of such a dwelling increases the rents, the individual Board members' rents increase as well. Ms. Wolf reports that because the majority of residents have to approve rent increases, the Rent Board believes that owners and tenants would not have any financial motivation to impose unnecessary rent increases. According to Ms. Wolf, this unique group of non-profits, of which there is currently only one - the Project Artaud (a live-work artist community), should not be subject to rent control.

2. Ms. Wolf reports that last year arbitration hearings for the Project Artaud cost the Rent Board approximately $1,000 and user-fee revenues were $640 ($8 x 80 rental units). Ms. Wolf

advises that user-fees will increase by $2 for Fiscal Year 1993-94, from $8 to $10 per rental unit which would bring the total user-fees for the Project Artaud to $800 ($10 x 80 rental units). Thus, the Rent Board would save approximately $200 ($1,000 costs for arbitration hearings less $800 user fee revenue) as a result of the proposed amendment.

Recommendation: Approval of the proposed ordinance is a policy matter for the Board of Supervisors.

Harvey M. Rose

cc: Supervisor Bierman
Supervisor Maher
Supervisor Shelley
President Alioto
Supervisor Conroy
Supervisor Hallinan
Supervisor Hsieh
Supervisor Kaufman
Supervisor Kennedy
Supervisor Leal
Supervisor Migden
Clerk of the Board
Chief Administrative Officer
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CALENDAR
REGULAR MEETING
HOUSING AND LAND USE COMMITTEE
BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

THURSDAY, JULY 15, 1993 - 10:00 a.m. City Hall, Room 228

Members: SUPERVISORS BIERMAN, MAHER, SHELLEY

CLERK: Joni Blanchard

REGULAR CALENDAR

1. File 19-93-6. [Parking Regulations] Recommending establishment and extending regulations at various locations; DPT Order No. 407; companion to File 19-93-6.1. (Department of Parking & Traffic)

(Consideration continued from 7/1/93)

Parking Meter Area 3 (2-hour parking time limit, Monday through Saturday, 7:00 a.m. to 6:00 p.m.) - Extend
Geary Boulevard, north side, between Lyon Street and Masonic Avenue.
Geary Boulevard, south side, between Presidio and St. Joseph's Avenue.
Lyon Street, both sides, between Geary Boulevard and O'Farrell Street.
O'Farrell Street, north side, between Lyon Street and St. Joseph's Avenue.
Masonic Avenue, west side, 60 feet southerly from Geary Boulevard.

Parking Meter Area 3 (1-hour parking time limit, Monday through Saturday, 7:00 a.m. to 6:00 p.m.) - Extend
Green Street, both sides, between Front and Battery Streets.
Union Street, both sides, between Sansome and Battery Streets.
Union Street, south side, between Battery and Front Streets.
Sansome Street, both sides, between Green Street and Broadway.
Battery Street, east side, between Union Street and Broadway.
Battery Street, west side, between Green Street and Broadway.
Front Street, both sides, between Vallejo Street and Broadway.

ACTION:

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2. File 126-93-1. [Condominium Conversion] Ordinance amending Part II, Chapter XIII of the San Francisco Municipal Code (Subdivision Code) by adding Article 11 to permit the conversion of 1,200 residential rental units to condominiums or other ownership subject to certain requirements and to assess a general excise tax of $10,000 per unit converted for deposit in the general fund for use for general governmental purposes. (Supervisor Kennedy)

   FISCAL IMPACT

   ACTION:

3. File 12-93-19.1. [Running Red Light - Increase Bail] Resolution urging the Mayor to request the City's Lobbyist to urge State Legislators to pass state legislation to increase the total bail amount in the uniform traffic infraction bail and penalty schedule from $103 to $350 for violations of Section 21453(a) of the California Vehicle Code which requires vehicular traffic to stop at limit lines when traffic controls signals are red. (Supervisor Migden)

   ACTION:

4. File 121-93-10. [Tour Bus Restriction] Ordinance amending the Police Code, by adding Sections 1183.22 through 1183.25 regarding tour bus restrictions on Larkin, Leavenworth, Jones and Taylor Streets. (Department of Parking and Traffic)

   ACTION:

5. File 124-93-5. [Commercial Vehicle Weight Limit] Ordinance amending Traffic Code by adding Sections 28.5.37 through 28.5.44 listing streets with prohibition of commercial vehicles. (Department of Parking & Traffic)

   ACTION:

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Public Library, Documents Dept.
ATTN: Jane Hudson

CITY AND COUNTY OF SAN FRANCISCO

BOARD OF SUPERVISORS

BUDGET ANALYST
1390 MARKET STREET, SUITE 1025
SAN FRANCISCO, CALIFORNIA 94102 • TELEPHONE (415) 554-7642

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July 13, 1993

TO: Housing and Land Use Committee

FROM: Budget Analyst Recommendations

SUBJECT: July 15, 1993 Housing and Land Use Committee Meeting

Item 2 - File 126-93-1

Item: Ordinance amending Part II, Chapter XIII of the San Francisco Municipal Code (Subdivision Code) by adding Article 11 to permit the conversion of 1,200 residential rental units to condominiums or other ownership subject to certain requirements and to establish a condominium conversion excise tax of $10,000 for each unit which is allowed to be converted under the lottery system of the proposed ordinance.

Description: Residential conversions are currently governed by Article 9 of the Subdivision Code of the San Francisco Municipal Code. Article 9 contains an Annual Conversion Limitation, effective January 1, 1990 to December 31, 1993, which states that applications for conversion of residential units "shall not be accepted," except for 200 units selected by the Department of Public Works through an annual lottery.

The proposed ordinance would create a new mechanism to permit "home ownership conversions," defined as the conversion of residential rental property to condominiums, community apartments, stock cooperatives, cooperative associations, limited stock cooperatives, or other types of home ownership authorized under State law.

A minimum of 1,200 and a maximum of 1,220 applications for home ownership conversion would be approved pursuant to the proposed legislation. The properties would be selected by a lottery to be held 15 days after the effective date of the legislation. The proposed ordinance contains certain provisions for tenants' participation which must be satisfied before final approval for the conversion would be granted, as discussed below. The subdivider of any building being converted for home ownership under the proposed ordinance would pay an excise tax of $10,000 for each unit which is converted. If the minimum number of 1,200 units are converted, revenues to the City's General Fund would be $12 million based on an excise tax of $10,000 per unit.

The Mayor's proposed budget for 1993-94 included estimated revenues of $8 million from the new condominium conversions which would be authorized under the proposed ordinance (see Comment 2).

Section 1332 of the Subdivision Code requires that public hearings be held concerning proposed conversions of any property when at least one unit in the building is used for residential purposes. Section 1332 also requires environmental impact evaluations for some condominium conversions. The proposed ordinance provides that Sections 1325 through 1332, Section 1341, and Section 1359(c) of the Subdivision Code would not apply to applications for condominium conversion under the proposed ordinance.

Application Requirements and Conditions of Approval

1. The proposed ordinance provides that "the Director'" (the Director's department is not specified) shall conduct a lottery to be held within 15 days following the effective date of the proposed ordinance, and notify lottery applicants of the outcome within 15 days after the lottery is held.

2. Among other requirements, applicants would be required to submit the signatures of tenants (the "Co-Signing Tenants") from at least two-thirds of the units, in buildings of 6 or more units, indicating their agreement to the proposed conversion (signatures would be required from all tenants who are included in a written lease for each unit). The agreement of tenants from 3 units would be required in a building of 5 or 4 units. The agreement of tenants from 2 units would be required in a building of 3 or 2 units.

In addition, the application would be required to include "Intent to Purchase" or "Intent to Enter into Lifetime Lease"

Forms from tenants in at least 51 percent of the total units in the building (for buildings with more than 5 units), indicating the tenants' intent to purchase their units. For buildings of 5 or 4 units, such forms would be required from tenants in 3 units. In buildings with 4, 3, or 2 units, such forms would be required from tenants in at least 2 units.

3. Within 10 days of the filing of the Application for Certificate of Eligibility, the City would be required to notify tenants in the building (in envelopes provided by the applicant) of the condominium conversion application. Any tenants desiring a public hearing would be required to notify the Director of the request within 10 days of the date that the Director's notice was sent to the tenants. The Director would be required to hold such a hearing within 20 days of the date the tenant's request for hearing was sent. If these time periods were fully invoked, a hearing would be held within approximately 40 days following receipt of the Application for Certificate of Eligibility.

4. The Director would be required to issue Certificates of Eligibility within 50 days after the applications are filed for projects meeting the statutory requirements for conversion. This would permit a maximum period of 10 days following any hearing which is held in which to issue a Certificate of Eligibility to the applicant. In addition, the Department of City Planning would be required to report, within 43 days following filing of the application, whether the proposed conversion is consistent with the City's Master Plan.

5. As a condition of approval of the condominium conversion application, the subdivider must offer an exclusive right to purchase each unit in the building to any tenant who occupied the unit when the Application for Certificate of Eligibility was originally filed, based upon terms contained in the Application for Certificate of Eligibility. If the tenant does not exercise this right or is unable to close escrow within 6 months of the Purchase Agreement, the subdivider would be allowed to sell the unit without regard to the terms of the application.

6. The subdivider is also required to offer a unit for sale to any tenant who was not in occupancy when the initial application was filed, although without restriction on the sale price. However, a "tenant" is defined in the proposed ordinance to mean only a tenant who occupied the premises when the application was filed.

7. Tenants who choose not to purchase their units shall be given the right to remain in their units for as long as they choose, unless they are evicted for reasons stated in the

proposed ordinance. (The proposed ordinance provides that its provisions regarding evictions supersede those of the Residential Rent Stabilization and Arbitration Ordinance). The tenants' right to remain in the unit cannot be assigned to others, except in the case of Senior Citizens under special circumstances.

Rents charged to tenants who choose to remain in their units would be calculated based on the rent in effect when the Application for Certificate of Eligibility was filed, with adjustments based on the provisions of the Residential Rent Stabilization and Arbitration Ordinance.

Tenants who do not purchase their units but relocate within five years would be eligible to receive reimbursement for moving expenses as well as relocation assistance provided by the Subdivider.

8. The building to be converted would be required to comply only with those requirements of the City's Building, Housing, and Fire codes which the Fire Department and the Superintendent of Building Inspection determine to be necessary or appropriate to prevent a "life hazard" or to prevent the building from becoming substandard.

Comments:

1. As previously noted, Article 9 of the Subdivision Code currently limits the number of conversions to 200 units per year, which are selected through an annual lottery (on a calendar year basis) conducted by the Department of Public Works (DPW). This limitation is currently scheduled to expire on December 31, 1993.

Mr. Greg Cruz of DPW states that the last such lottery was held on March 12, 1993, and that applications to convert a total of 732 units in 220 buildings were submitted. Of these 732 units, only 200 can be converted based on the current 200-unit annual conversion limitation, and the applications for the remaining 532 units cannot be approved.

If the proposed ordinance were approved, conversion of 1,200 to 1,220 additional units would be permitted. Based on the 532 units which participated in the 1993 lottery but which cannot be approved under the current 200-unit annual limit, and based on a tax of $10,000 per unit, the City could receive revenue of $5.32 million from the conversion of these units, provided that the owners of the 532 units were willing to pay the excise tax of $10,000 per unit to convert the units, and also met the other requirements set forth in the proposed ordinance.

However, the actual extent to which applications for condominium conversion would be submitted if the proposed ordinance were approved cannot be determined at this time. Therefore, it is unknown whether or not the City would in fact receive the maximum potential revenues of $12 million (1,200 units x $10,000 per unit) under the proposed ordinance.

2. As previously noted, the Mayor's proposed budget for 1993-94 included estimated revenues of $8 million from the new condominium conversions which would be authorized under the proposed ordinance. According to Mr. John Madden of the Controller's Office, the $8 million estimate is based on an assumption that at least 1,200 units (but not more than 1,220) will be selected for home ownership conversion through the lottery system. This assumption is based on an estimate, derived from the Assessor's rolls and data provided by the Board of Realtors, that there are 12,000 to 12,500 housing units in the City which could qualify for home ownership conversion under the proposed ordinance. According to Mr. Madden, these 12,000 to 12,500 convertible units provide a pool of potential applicants from which it is expected that at least 1,200 would apply and be selected for condominium conversion if the proposed ordinance is enacted. Since there are a number of lengthy procedural requirements for condominium conversion, such as building inspections and financing arrangements, the Controller's Office has estimated revenues of $8 million in 1993-94 from the conversion of at least 800 units (of the total of 1,200 units which could be converted under the proposed ordinance), at an excise tax of $10,000 per unit, according to Mr. Madden.

3. According to Mr. Steve Dunbar of the Assessor's Office, the sale of units converted to condominiums results in reassessment of the value of the property, resulting in a higher property tax base, as well as transfer taxes on the sale price of the unit. Mr. Dunbar indicates that conversion of the property to a new form of ownership does not, in itself, result in significantly higher tax revenues.

4. As noted above, the existing 200-unit annual limit on condominium conversions under Article 9 of the Subdivision Code is scheduled to expire on December 31, 1993. (The proposed ordinance would create a separate Article 11 of the Subdivision Code to authorize a total of 1,200 to 1,220 additional condominium conversions, notwithstanding the 200-unit annual limit of Article 9). According to Mr. Cruz, DPW and the City Attorney anticipate that the 200-unit annual limit of Article 9 will be extended beyond December 31, 1993, which

would require approval by the Board of Supervisors. However, the Budget Analyst notes that, if the current 200-unit limit is not extended beyond December 31, 1993, and depending on the requirements for condominium conversions after that time, subdividers may have a reduced incentive to pay the $10,000 excise tax under the proposed ordinance in order to convert their housing units into condominiums.

5. The existing Article 9 provides that only buildings with 6 or fewer units may be converted to condominiums, and requires that those buildings which are converted must have been owner-occupied for at least 3 years. According to Mr. Cruz, a building is not counted against the 200-unit limit if it contains only two units and both units have been owner-occupied for at least one year.

In contrast, the proposed ordinance contains no restrictions on the types of buildings which can be converted to condominium use, and qualifying buildings would not be required to have been owner-occupied for any length of time.

6. The possibility exists that some percentage of the revenue which would be generated under the proposed ordinance would accrue to the City after the 1993-94 fiscal year. The extent to which the revenue is received in 1993-94 or in later years depends on the number of Applications for Tentative Map Approval which are filed (following a series of regulatory requirements) in the current year or in subsequent years.

The lottery would be held 15 days after the proposed ordinance, if approved by the Board of Supervisors, is signed by the Mayor. It is not possible to determine at this time whether applications for conversion of 1,200 units would be submitted within the 15 day period before the lottery would be held. The proposed ordinance contains no provisions for a subsequent lottery, if 1,200 units are not selected from the initial lottery. Applicants who fail to meet a series of statutory deadlines would be replaced by applicants from a Stand-By list of lottery applicants, who would begin the procedure later in the year.

The following table illustrates the amount of time which would elapse between the effective date of the proposed ordinance and receipt of the $10,000 excise tax for each converted unit, as required under the proposed ordinance, if each stage of the procedure is completed at (but not sooner than) the deadline imposed under the proposed ordinance:

Activity	Number of Days Allowed for Completion
Lottery Held 15 Days After Approval by Mayor	15
Notice to Applicants of lottery results	15
Deadline for Application for Certificate of Eligibility	90
Conduct of Hearings if Requested by Tenants, and Issuance of Certificates of Eligibility	50
Deadline for Application for Tentative Map Approval, including remittance of $10,000 excise tax	60
Maximum Number of Days From Enactment to Application for Map Approval and Payment of Fee	230*

* 230 days is equivalent to approximately 7.6 months

The Budget Analyst notes that, if the proposed ordinance took effect in mid-August, 1993, and if the 230 days allowed for application procedures under the proposed ordinance were fully utilized, the City would not receive revenues under the proposed ordinance at least until approximately April 1, 1993. Revenues would be received at an earlier date only if some of the applications were processed in less than 230 days.

7. San Francisco voters considered a proposition (Proposition N) in the November, 1991 election which would have modified Article 9 of the Subdivision Code by creating exemptions to the 200-unit annual limit, and allowing any residential rental unit to be converted for condominium use, provided, among other things, that:

1) More than half of the tenants agreed to the conversion;

2) Tenants electing not to purchase their units were issued leases valid until death or until they vacated the premises ;

3) Tenants were granted non-transferable rights to purchase their units at 75 percent of the fair market value of the unit, based on the unit's value at the time the condominium conversion application was filed; and,

4) The Subdivider provided financing for 90 percent of the purchase price to tenants wishing to purchase their units.

Proposition N was defeated in November, 1991 by a vote of 33.4 percent in favor and 66.6 percent opposed.

Harvey M. Rose

cc: Supervisor Bierman
Supervisor Maher
Supervisor Shelley
President Alioto
Supervisor Conroy
Supervisor Hallinan
Supervisor Hsieh
Supervisor Kaufman
Supervisor Kennedy
Supervisor Leal
Supervisor Migden
Clerk of the Board
Chief Administrative Officer
Controller
Teresa Serata
Barbara Kolesar
Ted Lakey

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CALENDAR
REGULAR MEETING
HOUSING AND LAND USE COMMITTEE
BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

THURSDAY, AUGUST 5, 1993 - 10:00 a.m. City Hall, Room 228

Members: SUPERVISORS BIERMAN, MAHER, SHELLEY

CLERK: Joni Blanchard

REGULAR CALENDAR

1. File 90-93-2. [Landmark] Resolution designating the Our Lady of Guadalupe Church at 906 Broadway as a landmark pursuant to Article 10 of the City Planing Code. (Department of City Planning)

   ACTION:

2. File 90-93-3. [Landmark] Resolution designating the George Gibbs Residence and Caretaker's Cottage at 2622-24 Jackson Street and 2629 1/2 Pacific Avenue as landmarks pursuant to Article 10 of the City Planning Code. (Department of City Planning)

   ACTION:

3. File 111-93-1. [Interim Controls] Resolution imposing interim zoning controls to prohibit introduction of additional establishments, or any expansion of existing establishments, selling alcoholic beverages in the area generally bounded by Fourteenth Street, Army Street, South Van Ness Avenue and Guerrerro Street. (Supervisor Shelley)

   ACTION:

4. File 36-93-1. [Final Negative Declaration] Resolution adopting Final Negative Declaration, finding and determining that the proposed zoning reclassification of Lots 31 through 35 of Assessor's Block 2696 (4127-47 19th Street from RH-3 (Three-Family Neighborhood District) to Castro Street NCD (Neighborhood Commercial District), or rezoning the same Lots 31 and 32 (4139-47 19th Street from RH-3 to NC-1 (Neighborhood Commercial Cluster District), will have no significant impact on the environment, and adopting and incorporating findings of the Final Negative Declaration; companion measure to File 36-92-5, 36-92-6, 36-93-1.1. (Department of City Planning)

ACTION:

5. File 36-92-5. [Zoning Map] Ordinance amending City Planning Code by amending the Zoning Map for properties generally described as Assessor's Block 2696, Lots 31, 32, 33, 34 and 35 from RH-3 to Castro Street Neighborhood Commercial District; and adopting findings pursuant to City Planning Code Section 101.1. (Supervisor Bierman)

ACTION:

6. File 36-92-6. [Zoning Map] Ordinance amending City Planning Code by amending the Zoning Map for properties generally described as Assessor's Block 2696, Lots 31 and 32 from RH-3 to NC-1; and adopting findings pursuant to City Planning Code Section 101.1. (Supervisor Bierman)

ACTION:

7. File 36-93-1.1. [Zoning Map Change] Ordinance adopting changes in the property use classification as an amendment of the Zoning Map of the City and County of San Francisco located at 4139-47 19th Street, Lots 31 and 32, Assessor's Block 2696 from an RH-3 District to an NC-1 District; and adopting findings pursuant to Planning Code Section 101.1; companion to File 36-93-1. (Department of City Planning)

ACTION:

8. File 36-93-2. [Zoning Map Change 92.258Z] Ordinance adopting changes in use classification as an amendment to the Zoning Map of the City and County of San Francisco of property located on the west side of Ceres Street, 100 feet north of Williams Avenue in Assessor's Block 5409, Lots 10 and 11 from an RH-1 (House, One-Family) District to an RH-2 (House, Two-Family) District; and adopting findings pursuant to Planning Code Section 101.1. (Department of City Planning)

(See City Planning Resolution No. 13478 - Exempt from Environmental Review pursuant to Section 15361(b)(3) of CEQA Guidelines)

ACTION:

9. File 114-93-5. [Building Code Violations] Resolution urging his Honor, the Mayor, and the Chief Administrative Officer, to urge all enforcing officers and employees under their respective jurisdictions to provide notice to tenants in possession of pending abatement proceedings against property owners by posting official notice at the property that is the subject of the abatement proceedings; see File 114-93-5.1. (Supervisor Bierman)

(Consideration continued from 7/1/93)

ACTION:

10. File 114-93-5.1. [Building Code] Ordinance amending Building Code by amending Section 203(c) to provide that the notice of hearing to be posted shall include the list of building code violations and that it shall make reference to the penalties for violation prescribed in Section 205 of the Building Code; see File 114-93-5. (Supervisor Bierman)

ACTION:

11. File 10-93-2. [Permit] Resolution granting revocable permission to Candlestick R.V. Park, Inc. to extend the Candlestick Recreational Vehicle Park and to install gates in an unimproved portion of Fitzgerald Avenue between Earl and Donahue Streets, and adopting findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

ACTION:

12. File 10-93-3. [Permit] Resolution granting revocable permission to Golden Gate University to install (2) 4-inch conduits under Jessie Street between Ecker and Anthony Streets for telecommunication purposes between 536 Mission Street (Block 3708, Lot 13) and 40 Jessie Street (Block 3708, Lot 23); and adopting findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

ACTION:

13. File 35-93-2. [Street Acceptance] Ordinance accepting roadways, including curbs, of three dedicated public streets in the South Beach Marina Development Project Area. (Department of Public Works)

ACTION:

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ATTN: Jane Judson

CITY AND COUNTY OF SAN FRANCISCO

BOARD OF SUPERVISORS

BUDGET ANALYST
1390 MARKET STREET, SUITE 1025
SAN FRANCISCO, CALIFORNIA 94102 • TELEPHONE (415) 554-7642

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August 3, 1993

TO: Housing and Land Use Committee

FROM: Budget Analyst

SUBJECT: August 5, 1993 Housing and Land Use Committee Meeting

Items 9 and 10- Files 114-93-5 and 114-93-5.1

Department: Department of Public Works (DPW)
Bureau of Building Inspection (BBI)

Items: Proposed resolution urging the Mayor and the Chief Administrative Officer (CAO) to urge all enforcing officers and employees under their respective jurisdictions to provide notice to tenants of pending abatement proceedings against property owners by posting official notice at the property that is the subject of the abatement proceedings.(File 114-93-5)

Proposed ordinance to amend Building Code Section 203(c) to provide that the notice of hearing to be posted include a list of building code violations and that it make reference to the penalties for violations prescribed in Section 205 of the Building Code.(File 114-93-5.1)

Description: The proposed resolution would urge the Mayor and CAO to urge all enforcing officers and employees to provide direct notice to tenants occupying buildings in which the owner is subject to abatement proceedings. The proposed resolution further urges the Mayor and CAO to urge the Department that such notice be posted at least seven days in advance of any pending abatement hearing.

The proposed ordinance would amend Building Code Section 203(c) to include in the notice to tenants occupying buildings in which the owner is subject to abatement proceedings a list of code violations and conspicuous reference to penalties for such violations. Under the existing Building Code Section 203(c), the Department gives direct notice of a pending hearing, by certified mail, to the owner of properties which are determined to be unsafe following DPW's inspection. Under the current provisions, the Department gives notice of hearing to tenants indirectly by posting notice of such proceedings on publicly accessible areas of these properties. These subject properties include buildings, structures which are structurally unsafe or without adequate egress, or which constitute a fire hazard, or are otherwise dangerous to life, safety or health of the occupant, or the occupants of adjacent properties, or the public in general.

Comments:

1. Mr. Blaine Brassfield, of the BBI advises that currently, the hearing notice, which includes the specific Housing Code section that has been violated by the owner, a list of deficiencies, penalties for violations under Section 205 of the Building Code, and the notice of the hearing date, meets the requirements of the proposed ordinance. Mr. Brassfield reports that the proposed ordinance arose from concerns that tenants were not fully informed of substandard conditions of buildings within which they reside. The proposed ordinance, by disclosing building deficiencies in detail to tenants, would encourage tenants to actively participate in the hearings and thereby protect their interests. Mr. Brassfield concludes that since the proposed ordinance merely codifies current Department practice, compliance with this proposed ordinance would not impact the Department.

2. Mr. Brassfield reports that, the failure to notify those tenants who wish to participate in the hearing process is rare. He advises that, except for tenants residing in multi-unit buildings where units are annually inspected, tenants initiate the process by issuing a complaint to the Department. He concludes that since the tenants often participate directly in bringing the deficiency to the Department's attention, the tenants are usually aware of potentially unsafe conditions. With respect to multi-unit dwellings, Mr. Brassfield reports that the potential for tenant ignorance of unsafe conditions is mitigated by the current Departmental practice of posting the notice in a conspicuous and public area of the building in accordance with the proposed ordinance.

3. The San Francisco Building Code must adhere strictly with the State Building Code except under circumstances where a departure from the State Building Code is dictated by local conditions. The California Health and Safety Code Section 17958.7 requires the City to make express findings that changes to the San Francisco Building Code, which differ from the State Building Code, are reasonably necessary because of local conditions, and to furnish such findings to the State Building Standards Commission.

The Board of Supervisors must find and determine that changes to the San Francisco Building Code are necessary because of local conditions. Therefore, in addition to the proposed resolution and the proposed ordinance, the Board of Supervisors will consider at the August 5, 1993 meeting, a proposed resolution on the findings on local conditions which is not identified on this calendar. This proposed resolution cites findings such as crowded local conditions, peculiar local land use configurations in San Francisco, and natural conditions such as high seismic activity, as the most significant local conditions giving rise to the need for variance from the State Building Code. This proposed resolution should be prepared in and reported out of Committee. Under this proposed resolution, the Clerk of the Board is directed to transmit the resolution together with the amendments to the San Francisco Building Code to the State Building Standards Commission for filing, pursuant to the applicable provisions of law.

4. According to the Sponsor's Office, if the Board of Supervisors adopts the proposed ordinance which would amend the San Francisco Building Code (Item 10 - File 114-93-5.1), the proposed resolution to urge DPW (Item 9 - File 114-93-5) is not needed.

Recommendations:

1. Approval of the proposed ordinance (File 114-93-5.1) is a policy matter for the Board of Supervisors.

2. If the proposed ordinance is approved, prepare in and report out of Committee a resolution on the findings on local conditions.

3. If the proposed ordinance is approved, the proposed resolution (File 114-93-5) can be tabled.

BOARD OF SUPERVISORS
BUDGET ANALYST

Memo to Housing and Land Use Committee
August 5, 1993 Housing and Land Use Committee Meeting

Item 11 - File 10-93-2

Department: Department of Public Works (DPW)

Item: Resolution granting revocable permission to Candlestick R. V. Park, Inc. to extend the boundaries of the Candlestick Recreational Vehicle Park and to install two gates in an unimproved portion of Fitzgerald Avenue between Earl and Donahue Streets, and adopting findings pursuant to City Planning Code Section 101.1

Description: The proposed resolution would grant permission to Candlestick R. V. Park, Inc. to encroach on City property located on an unimproved portion of Fitzgerald Street between Earl and Donahue Streets for the purpose of constructing and maintaining an extended portion of the Candlestick Recreational Vehicle Park and to install two gates. Candlestick R. V. Park Inc. is a private firm which manages the Candlestick Recreational Vehicle Park, located on Donahue Street, to provide rental space for recreational vehicles. The Park consists of two lots, which are privately owned. One of the lots currently has 118 spaces for recreational vehicles. The owner is proposing to add 50 spaces for vehicles on the second lot.

The Board of Supervisors may revoke the proposed permission to encroach on City property at will. The permission would not become effective until Candlestick R. V. Park, Inc. has executed a street encroachment agreement and until the Controller has reviewed Candlestick R. V. Park's insurance policy coverage for the encroachment.

Under the proposed resolution, Candlestick R. V. Park would be required to keep the two gates open during and after 49ers, Giants games, and other special events. In addition, no vehicles are to be parked on Fitzgerald Avenue during these events, in order to accommodate traffic and emergency access to and from Candlestick Park Stadium.

The proposed resolution also provides that Candlestick R. V. Park would be responsible for procuring the necessary permits and paying the City for the necessary permit and inspection fees before beginning the installation of the two gates. Additionally, Candlestick R. V. Park would assume all costs for maintenance and repairs associated with the encroachment, as well as any removal or relocation expenses at no cost or obligation to the City.

In addition to the above noted permits, the resolution provides that the Board of Supervisors reserves the right to charge a recurring permit or rental fee for the encroachment on City property.

Comments: 1. The City Planning Commission has declared that the project intended by the encroachment is consistent with the eight priority policies of the City Planning Code Section 101.1.

2. As noted above, the Board of Supervisors would reserve the right to charge Candlestick R. V. Park a recurring permit or rental fee for the encroachment on City property. According to Ms. Denise Brady, Chief of the Bureau of Street-Use Mapping, no recurring permit or rental fee has yet been established for this or any other encroachment. Ms. Brady advises that the DPW has included a provision in the proposed resolution for the Board of Supervisors to reserve the right for the City to charge a recurring permit or rental fee because the Department believes such a charge has merit.

3. Ms. Brady states that the DPW recognizes that certain policy issues would have to be resolved regarding such a recurring permit or rental fee, since establishing such a fee could potentially effect a wide range of encroachments City-wide, including, certain underground basements. Once the feasibility of such a charge has been established, the policy for charging a recurring permit or rental fee and the mechanism for implementing the policy would require Board of Supervisor approval.

4. DPW reports that Candlestick R. V. Park has executed a street encroachment agreement with the City. The DPW held a public hearing on December 18, 1992 on the proposed encroachment and no objections were made to the project.

5. DPW advises that Candlestick R. V. Park has paid a required permit processing fee of $800 to the City. Once the construction costs have been calculated for the proposed project, Candlestick R. V. Park will also be required to pay an, as yet undetermined, inspection fee which would be based on a percentage of the construction costs.

Recommendation: Approve the proposed resolution.

Item 12 File 10-93-3

Department: Department of Public Works (DPW)

Item: Resolution granting revocable permission to Golden Gate University to install two 4-inch conduits under Jessie Street between Ecker and Anthony Streets for telecommunication purposes between 536 Mission Street (Block 3708, Lot 13) and 40 Jessie Street (Block 3708, Lot 23), and adopting findings pursuant to City Planning Code Section 101.1

Description: The proposed resolution would grant permission to Golden Gate University to encroach on a portion of City property under Jessie Street between Ecker and Anthony Streets for the purpose of installing and maintaining two 4-inch conduits .

The conduits would be used for voice and data lines. The voice lines would connect academic faculty offices at 49 Stevenson Street to the University's telephone switch. The data lines would be used to connect a backup emergency computer, in the building at 40 Jessie Street, to the University's main frame computer, located in a second building on Jessie Street.

The Board of Supervisors may revoke the proposed permission to encroach on City property at will. The permission would not become effective until Golden Gate University has executed a street encroachment agreement and the Controller has reviewed Golden Gate University's insurance policy coverage and has determined that the policy complies with the requirements of said agreement.

Under the proposed resolution, Golden Gate University, in accordance with State Government Code Section 4216.1, will become a member of the Underground Service Alert - Northern California. The purpose of this organization is to alert appropriate agencies (i.e., Pacific Gas and Electric, telephone companies and the City's Water Department) that excavation is going to occur at a specific site so that these agencies are aware that the excavation is taking place and can go to the site and mark the area if they have any lines, cables, etc, in the immediate area. The resolution provides that the rights granted to Golden Gate University, regarding permission to encroach on City property to install and maintain conduits for telecommunication purposes, do not constitute a cable TV franchise and do not authorize transmission of video programming over City rights-of-way or any other signals that would constitute cable TV service.

The proposed resolution also provides that Golden Gate University would be responsible for procuring the necessary permits and paying for the necessary permit and inspection fees before beginning the installation of the conduits. Additionally, Golden Gate University would assume all costs for maintenance and repairs associated with the encroachment, as well as any removal or relocation expenses at no cost or obligation to the City.

In addition to the above noted permits, the proposed resolution provides that the Board of Supervisors would reserve the right to charge a recurring permit or rental fee for the encroachment on City property.

Comments:

1. The City Planning Commission has declared that the project intended by the encroachment is consistent with the eight priority policies of the City Planning Code Section 101.1.

2. As noted above, the Board of Supervisors would reserve the right to charge Golden Gate University a permit or rental fee for the encroachment on City property. According to Ms. Denise Brady, Chief of the Bureau of Street-Use Mapping, no recurring permit or rental fee has yet been established for this or any other encroachment. Ms. Brady advises that the DPW has included a provision in the proposed resolution for the Board of Supervisors to reserve the right for the City to charge a recurring permit or rental because the Department believes such a charge has merit.

3. Ms. Brady states that the DPW recognizes that certain policy issues would have to be resolved regarding such a recurring permit or rental fee, since establishing such a fee could potentially effect a wide range of encroachments City-wide, including, certain underground basements. Once the feasibility of such a charge has been established, the policy for charging a recurring permit or rental fee and the mechanism for implementing the policy would require Board of Supervisors approval.

4. DPW advises that Golden Gate University has executed a street encroachment agreement with the City. The DPW reports that the Department held a public hearing on July 2, 1993 on the proposed encroachment and no objections were made to the project.

5. DPW advises that Golden Gate University has paid the required permit processing fee of $800 to the City. Once the

construction costs have been calculated for the proposed project, Golden Gate University will also be required to pay an, as yet undetermined, inspection fee which would be based on a percentage of the construction costs.

Recommendation: Approve the proposed resolution.

Item 13 - File 35-93-2

Department: Department of Public Works (DPW)

Item: Ordinance accepting roadways, including curbs, of three dedicated public streets in the South Beach Marina Development Project Area.

Description: Section 7.601 of the Charter of the City and County of San Francisco provides that when any roadway or portion thereof for not less than one continuous block has been paved in accordance with the specifications of the Department of Public Works (DPW) and is in good condition, such roadways shall be accepted by the Board of Supervisors on the written certification of the City Engineer. Upon the Board of Supervisors' acceptance of this roadway, the roadway shall be kept in repair and improved by the City.

The roadways, including the curbs, of the following dedicated public streets have been newly constructed and improved to City standards by the San Francisco Redevelopment Agency as part of the South Beach Marina Development Project and have been inspected to the satisfaction of the DPW. Each roadway under consideration constitutes one complete, continuous block, as required by Section 7.601 of the Charter.

- Bryant Street, between Delancey (formerly 1st Street) and Beale Street;

- Townsend Street, between 2nd Street and Colin P. Kelly Jr. Street;

- Colin P. Kelly Jr. Street, between Brannan Street and Townsend Street.

The proposed ordinance is for the acceptance of the foregoing roadways by the Board of Supervisors as official public roadways, for which the DPW would be responsible for maintaining in accordance with Section 7.601 of the Charter.

Comments: 1. According to Mr. John Busher of the Bureau of Street Cleaning and Urban Forestry (BSCUF), the maintenance and repair costs of the aforementioned roadways, if accepted by the Board of Supervisors, would amount to approximately $500 for asphalt repairs (an amount that would vary from year to year) in FY 1993-94, and $6,500 annually for street cleaning, or a total of $7,000 for FY 1993-94. However, Mr. Busher reports that the costs of cleaning these streets are not new expenses for FY 1993-94, as the Bureau of Street Cleaning has already been cleaning these streets for two to three years. Mr. Tom Trimbur of the Bureau of Surveys and Mapping (BSM) advises that the roadways under consideration would not require significant repairs for approximately 15 years since they are new.

2. Ms. Karen Gelman of the Bureau of Engineering (BOE) reports that approximately $6 million has been budgeted in the FY 1993-94 budget for street repairs. The sources of these funds are the State gasoline tax and City fines and forfeitures.

3. The City receives a portion of State gasoline tax revenues from the State for the maintenance and repair costs of accepted roadways. The proportion of State funds that the City receives is equivalent to the ratio of the number of miles of accepted streets in the City to the number of miles of accepted streets in the State of California. According to Ms. Gelman, although the number of miles of accepted streets in San Francisco would increase if this ordinance were adopted, it cannot be determined at this time whether this increase would result in an increase in State funds for roadway maintenance accruing to the City, since it is presently not known if there would also be an overall increase in the number of accepted streets in the State. According to Ms. Gelman, any change in the amount of roadway repair funds provided by the State would most likely not be significant, as the streets, if accepted, would add only approximately 1/4 mile to the 850 miles of accepted streets in San Francisco.

Recommendation: Approve the proposed ordinance.

Harvey M. Rose

cc: Supervisor Bierman
Supervisor Maher
Supervisor Shelley
President Alioto
Supervisor Conroy
Supervisor Hallinan
Supervisor Hsieh
Supervisor Kaufman
Supervisor Kennedy
Supervisor Leal
Supervisor Migden

Clerk of the Board
Chief Administrative Officer
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Teresa Serata
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CALENDAR
SPECIAL MEETING
HOUSING AND LAND USE COMMITTEE
BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

THURSDAY, AUGUST 12, 1993 - 10:00 a.m. City Hall, Room 228

Members: SUPERVISORS BIERMAN, MAHER, SHELLEY

CLERK: Joni Blanchard

REGULAR CALENDAR

1. File 85-93-1. [Terminal Separator] Resolution requesting California Department of Transportation (Caltrans) to cooperate with the City and County of San Francisco in the formal examination of alternative replacement designs for the terminal separator freeway facility and requesting city staff to undertake certain tasks pursuant to that request. (Supervisor Maher)

   ACTION:

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Public Library, Documents Dept.
ATTN: Jane Judson

CITY AND COUNTY OF SAN FRANCISCO

BOARD OF SUPERVISORS

BUDGET ANALYST
1390 MARKET STREET, SUITE 1025
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August 10, 1993

TO: Housing and Land Use Committee

FROM: Budget Analyst Recommendations.

SUBJECT: August 12, 1993 Special Housing and Land Use Committee Meeting

Item 1 - File 85-93-1

1. The proposed resolution would (1) request the California Department of Transportation (Caltrans) to cooperate with the City and County of San Francisco in the formal examination of alternative replacement designs for the Terminal Separator Structure and would request City staff to undertake certain tasks pursuant to that request, (2) authorize the Chief Administrative Officer (CAO) to apply for, receive and expend Federal Emergency Relief funds in an amount necessary to accomplish the environmental review of the replacement alternatives to the Terminal Separator Structure, (3) request appropriate City agencies to continue to work with Caltrans and the Metropolitan Transportation Commission in the examination of alternatives to the full rehabilitation of the Transbay Terminal, and (4) request the Mayor and Board of Supervisors sitting as the Transportation Authority, working with the Department of Parking and Traffic, to continue to seek to implement interim traffic measures which improve the efficiency of transit and vehicular movements in and around the downtown area.

2. The elevated freeway known as the Terminal Separator Structure, which linked the Bay Bridge and Interstate 80 with the Embarcadero Freeway, was damaged and made inoperable by the 1989 Loma Prieta Earthquake. Caltrans plans to complete the entire demolition and removal of this Structure by September of 1993. As a result of the damage to the Terminal Separator Structure, 10 freeway ramps serving Northeast San Francisco were lost along with 8 out of 11 freeway ramps serving the downtown core area. The loss of these freeway ramps has contributed to a variety of traffic problems in the effected areas.

3. In March of 1993, the Board of Supervisors approved a resolution formally requesting Caltrans to alter their plans to reconstruct the Terminal Separator Structure in order that alternative replacement designs might be examined. Caltrans agreed to delay their reconstruction schedule until September 1, 1993, in order to allow the City time to accomplish a short-term study of alternative Terminal Separator Structure replacement designs and to also give consideration to the future of the Transbay Terminal and to the future land use opportunities in the vicinity of these transportation facilities.

4. The Department of City Planning has recently prepared a report to the Mayor entitled "Terminal Separator Structure/Transbay Terminal". The report documents the process and findings resulting from the Terminal Separator Structure/Transbay Transit Terminal planning study undertaken by the Mayor's Task Force. Task Force members include representatives of the City Planning Department, the Mayor's Office, the Department of Parking and Traffic, the Department of Public Works, the Municipal Railway, the Port of San Francisco, the Redevelopment Agency, the CAO, Caltrans and the Metropolitan Transportation Commission. According to the report, over 20 alternatives to the Terminal Separator Structure were considered by the Task Force during the planning process, of which all but seven were rejected because of significant flaws. The eight alternatives which were selected for further evaluation, including the Caltrans Replacement Alternative, are outlined in the report as follows:

(1). **Caltrans Replacement Alternative:** This project proposes to rebuild the Terminal Separator Structure (TSS) along its former alignment. The on and off-ramps at Main/Beale and Mission Streets would be replaced, and a provision for a connection to the proposed Mid-Embarcadero mid-way between Main and Beal Streets is included. The project consists largely of elevated freeway structure, as before. The existing Bay Bridge ramps would remain in their present configurations (see Attachment 1)

(2). **No Build Alternative:** Under this proposal, the existing Bay Bridge ramps and the City street travel patterns would remain as they are at present. No replacement of any kind is proposed for the TSS.

(3). **Alternative 1:** This proposal is similar to the Caltrans proposal with two major exceptions: there would be no direct connection to the Mid-Embarcadero and the ramps at Main and Beale Streets would be relocated one block south to mid-block on Howard Street (see Attachment 2).

(4). **Alternative 1A:** Alternative 1A differs from the Caltrans proposal in that no ramps would serve Main and Beale Streets. Provision for a direct connection to the Mid-Embarcadero would be made mid-way between Main and Beal Streets to connect to the Embarcadero Roadway between Howard and Folsom Streets. The existing Bay Bridge ramps would remain unchanged (see Attachment 3).

(5). **Alternative 1B:** This proposal is nearly identical to Alternative 1, except that the ramp to the eastbound Bay Bridge would be deleted (see Attachment 4).

(6). **Alternative 2:** This proposal would sharply limit the amount of new freeway structure. Under this proposal, new on and off-ramps would be built on Interstate 80 at Second Street. The Sterling Street on-ramp to the eastbound Bay Bridge would be reconstructed to provide full service, merging the traffic where the former ramp merged. The left Main/Embarcadero exit to Fremont Street would be closed and converted to an off-ramp north of Bryant Street. The right Fremont Street off-ramp would be reconstructed to serve both Fremont and Folsom Streets. The Essex Street access would become a High Occupancy Vehicle (HOV) lane during peak hours (see Attachment 5).

(7). **Alternative 2A:** This proposal represents a down scaled version of Alternative 2. It would retain the new on and off-ramps at Second Street and the rebuilt Sterling Street on-ramp, but it does not include a new off-ramp to Bryant Street. The Fremont Street off-ramp would be reconstructed to serve both Fremont and Folsom Streets. The Fremont/Harrison off-ramp would be kept and used to access Main Street and The Embarcadero as they are at present (see Attachment 6).

(8). **Alternative 3:** This proposal focuses on surface street improvements to modestly correct the traffic circulation problem. It would substantially retain the existing conditions, with the exception of rebuilding the Sterling Street on-ramp with the connection to the Bay Bridge at the ramp (as in Alternatives 2 and 2A) and would reconstruct the right Fremont Street off-ramp to serve both Fremont and Folsom Streets. Harrison Street would become one-way westbound between First and Third Streets to ease access to the existing Fourth/Harrison Street on-ramp (see Attachment 7).

5. According to the Terminal Separator Structure/Transbay Terminal report, the Transbay Terminal facility is not up to current Building Codes. The report states that Caltrans advises that a building upgrade estimated at approximately $34 million is required to bring this facility up to Code requirements. The City has requested that Caltrans consider construction options for a new terminal, rather than reinvest monies in an outdated facility.

Comments

1. The Terminal Separator Structure/Transbay Terminal report states that the above-noted alternatives for the Terminal Separator Structure were evaluated against criteria relating to traffic operations, pedestrian and transit conflicts, construction-related objectives, land use and costs. Attachment 8, containing a table which was included in the report, provides a comparison between the alternatives of some of the key criteria.

2. According to the report, scheduling and funding issues surrounding the Terminal Separator Structure are integrally related to the Mid-Embarcadero replacement project. The report advises that the scheduled date for completing the Mid-Embarcadero project is 1998 for a surface alternative and 2000 for an underground alternative. While the Caltrans alternative for the Terminal Separator Structure could be completed by 1996, it would not provide a link to the Embarcadero until the Mid-Embarcadero project is completed.

3. Mr. Stuart Sunshine of the Mayor's Office reports that the Terminal Separator Structure project would be paid for by Federal (86 percent) and State (14 percent) Emergency Relief funds and would not involve any cost to the City. The cost of the above-noted alternatives for the Terminal Separator Structure range from $5 million (no build alternative) to $86 million (Caltrans alternative). However, it should be noted that past estimates for the Caltrans alternative have ranged as high as $95 million.

4. The environmental review process associated with examining alternatives to the replacement of the Terminal Separator Structure is expected to take two and one-half to three years. Mr. Emilio Cruz of the CAO Waterfront Transportation Project reports that the estimated cost of the environmental review is approximately $1 million and would be paid for by Federal Emergency Relief funds. Mr. Cruz advises that in order to expedite the environmental review process, the Department is proposing, if Federal approval can be acquired, to modify the existing contract for the environmental review for the Mid-Embarcadero project to include the Terminal Separator Structure. According to Mr. Cruz, if the two projects can be linked together, it could reduce the amount of time required to complete the environmental review by approximately nine months.

Recommendation

Approval of the proposed resolution is a policy matter for the Board of Supervisors.

Harvey M. Rose

cc: Supervisor Bierman
Supervisor Maher
Supervisor Shelley
President Alioto
Supervisor Conroy
Supervisor Hallinan
Supervisor Hsieh
Supervisor Kaufman
Supervisor Kennedy
Supervisor Leal
Supervisor Migden
Clerk of the Board
Chief Administrative Officer
Controller
Teresa Serata
Jean Harris
Ted Lakey

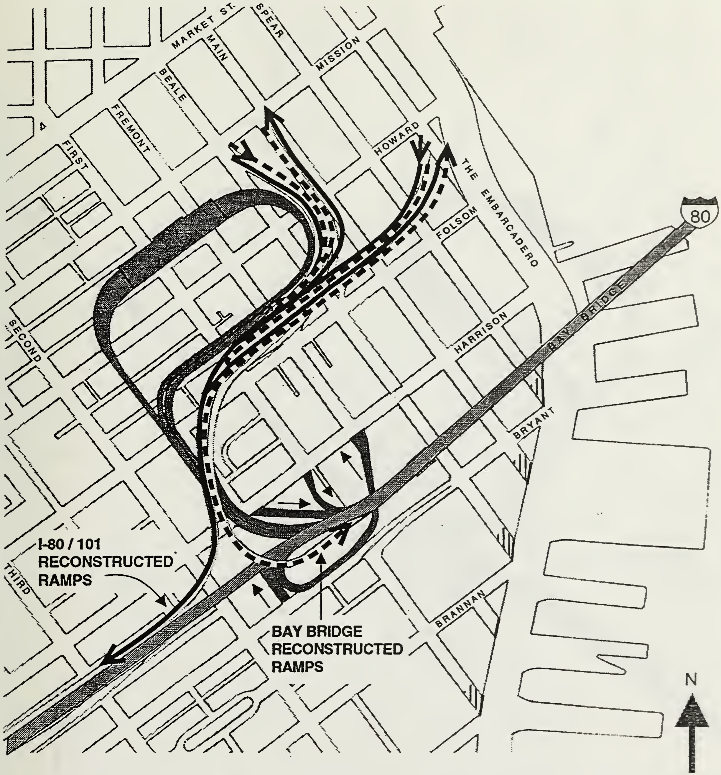

Figure 7
TERMINAL SEPARATOR STRUCTURE

CALTRANS ALTERNATIVE

▨ *Existing Transbay Terminal and Traffic Ramps to Remain*

◀- - *Bay Bridge Reconstructed Ramps*

← *I-80/101 Reconstructed Ramps*

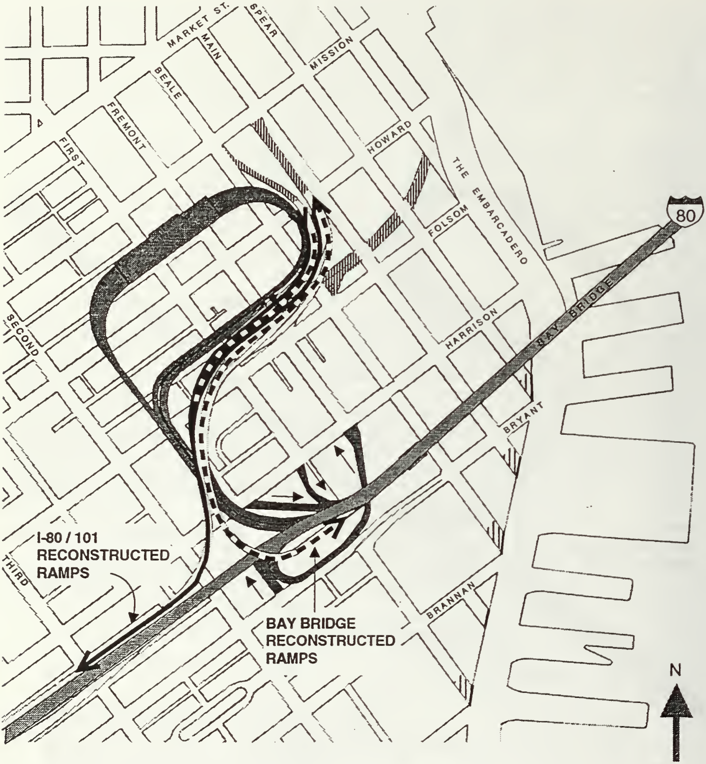

Figure 9
TERMINAL SEPARATOR STRUCTURE

ALTERNATIVE 1

▨ *Existing Transbay Terminal and Traffic Ramps to Remain*

← - - *Bay Bridge Reconstructed Ramps*

← *I-80/101 Reconstructed Ramps*

▥ *Potential Land Opportunity Sites*

Attachment3

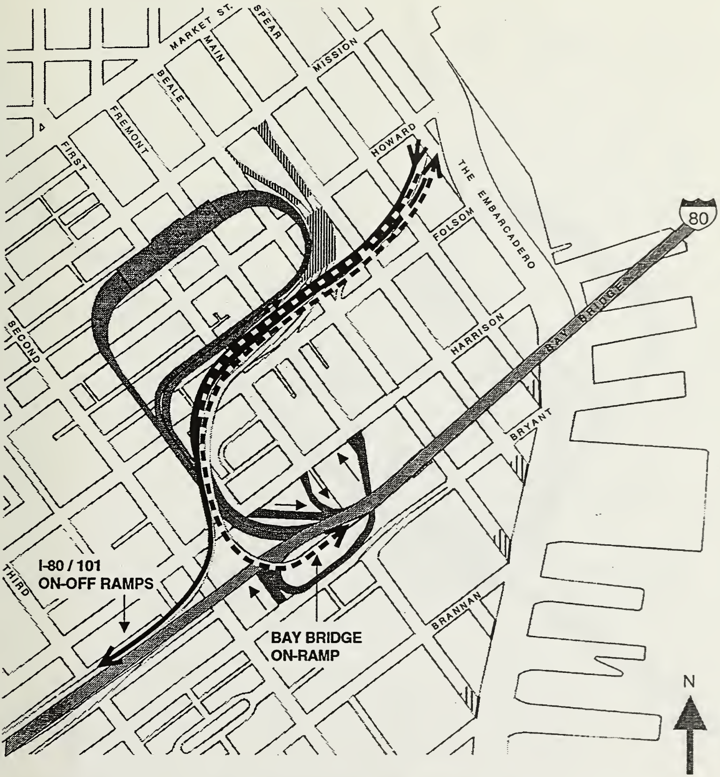

Figure 11
TERMINAL SEPARATOR STRUCTURE

ALTERNATIVE 1A

▨ *Existing Transbay Terminal and Traffic Ramps to Remain*

◀- - *Bay Bridge Reconstructed Ramps*

◀— *I-80/101 Reconstructed Ramps*

▥ *Potential Land Opportunity Sites*

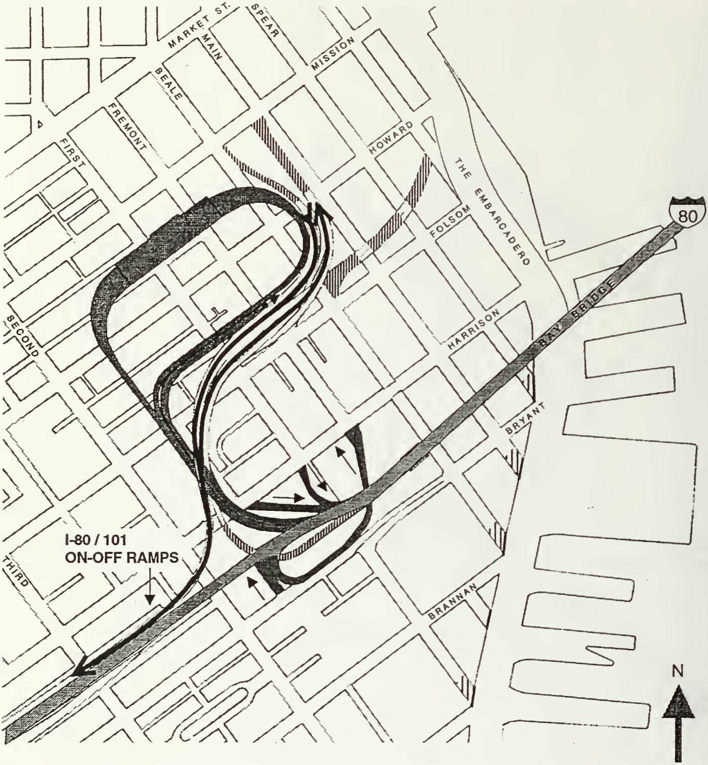

Figure 13
TERMINAL SEPARATOR STRUCTURE

ALTERNATIVE 1B

▨ *Existing Transbay Terminal and Traffic Ramps to Remain*

← *I-80/101 Reconstructed Ramps*

▥ *Potential Land Opportunity Sites*

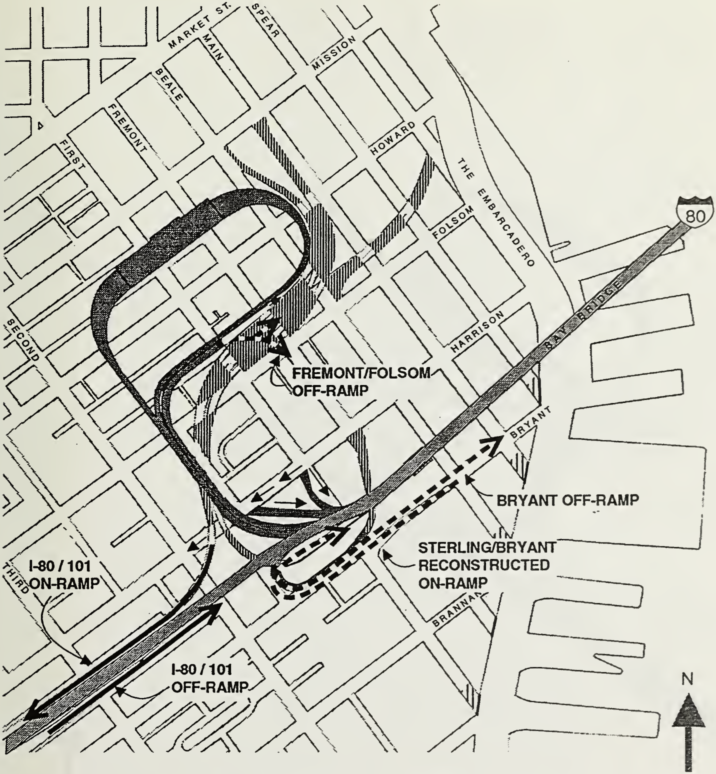

Figure 15
TERMINAL SEPARATOR STRUCTURE

ALTERNATIVE 2

▨ *Existing Transbay Terminal and Traffic Ramps to Remain*

⇠ *Bay Bridge Reconstructed Ramps*

← *I-80/101 Reconstructed Ramps*

▥ *Potential Land Opportunity Sites*

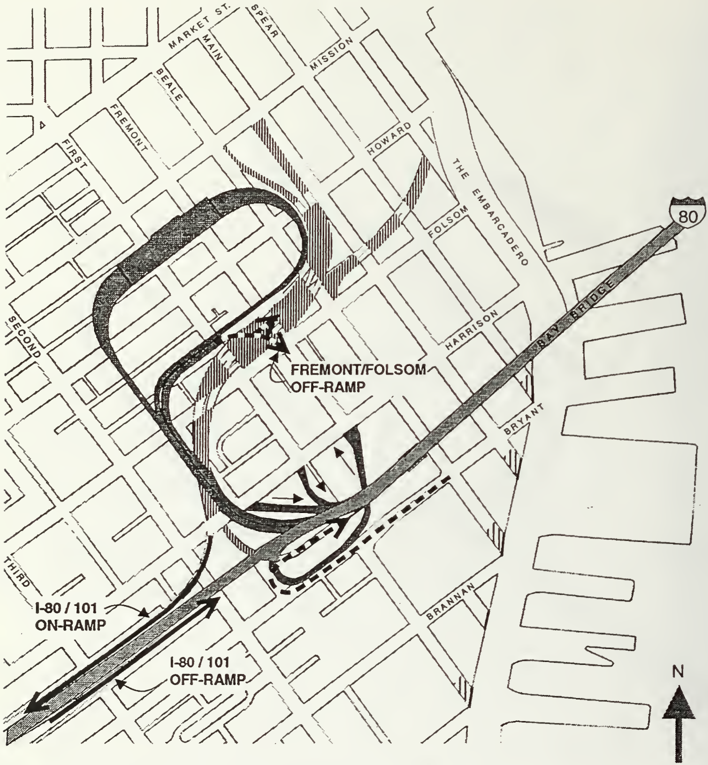

Figure 17
TERMINAL SEPARATOR STRUCTURE

ALTERNATIVE 2A

▨ *Existing Transbay Terminal and Traffic Ramps to Remain*

◄- - *Bay Bridge Reconstructed Ramps*

← *I-80/101 Reconstructed Ramps*

▥ *Potential Land Opportunity Sites*

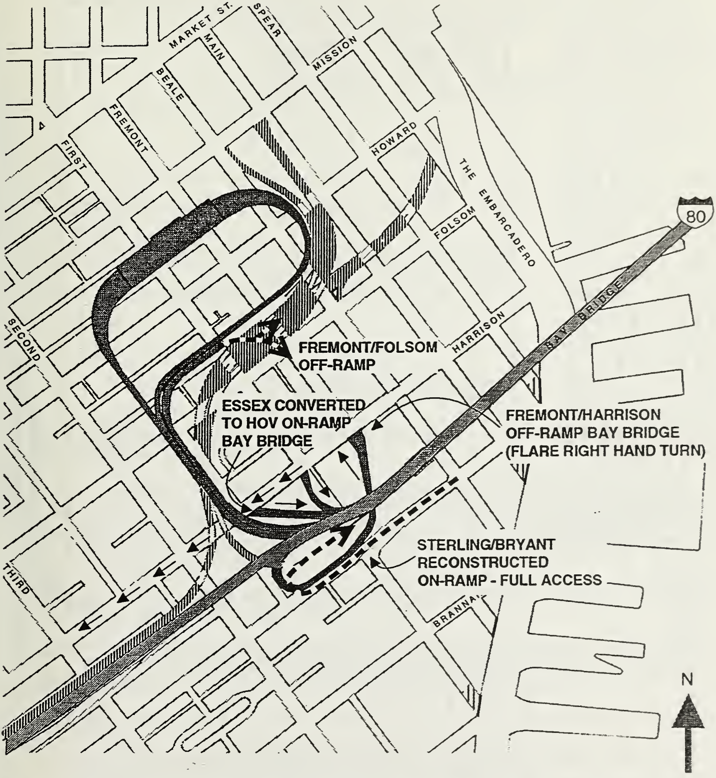
MARKET ST.
SPEAR
MAIN
MISSION
BEALE
FREMONT
FIRST
HOWARD
THE EMBARCADERO
FOLSOM
80
SECOND
HARRISON
BAY BRIDGE
FREMONT/FOLSOM OFF-RAMP
ESSEX CONVERTED TO HOV ON-RAMP BAY BRIDGE
FREMONT/HARRISON OFF-RAMP BAY BRIDGE (FLARE RIGHT HAND TURN)
STERLING/BRYANT RECONSTRUCTED ON-RAMP - FULL ACCESS
THIRD
BRANNAN
N

Figure 19
TERMINAL SEPARATOR STRUCTURE

ALTERNATIVE 3

▩ *Existing Transbay Terminal and Traffic Ramps to Remain*

◀- - *Bay Bridge Reconstructed Ramps*

▥ *Potential Land Opportunity Sites*

TABLE 1
TERMINAL SEPARATOR STRUCTURE ALTERNATIVE
Summary Evaluation Matrix

ALTERNATIVE	GRADE	STREET CLOSURE REQUIRED	NEW ACCESS TO/FROM SOUTH BAY	NEW ACCESS TO/FROM EAST BAY	ROW REQUIRED	COST (MILS.)	SCHEDULED COMPLETION	DEVELOPABLE LAND	COMPARABLE CAPACITY(i)	
									On-Ramp (j)	Off Ramp
Caltrans	< 8%	No	Yes	Yes	Minor	$ 86	1996 to Bent 57 (h)	0.0 acres	100%	100%
No Build	NA	No	No	No	No	$ 5 (f)	NA	10.8 acres	80%	51%
Alternative 1	> 9% (a)	Yes (c)	Yes	Yes	Minor	$ 81	2000	3.8 acres	83-93%	82%
Alternative 1 A	< 8%	No	Yes	Yes	Minor	$ 81	2000	1.4 acres	89-100%	80%
Alternative 1 B	> 9% (a)	Yes (c)	Yes	No	Minor	$ 62	1999/2000	3.8 acres	96-107%	82%
Alternative 2	> 8% (b)	Yes (d)	Yes	Yes	Yes (e)	$ 36 (g)	1999 (g)	9.5 acres	85-107%	81%
Alternative 2 A	< 8%	No	Yes	No	No	$ 25	1998/1999	8.9 acres	89-107%	81%
Alternative 3	< 8%	No	No	No	No	$ 14	1998/1999	10.8 acres	70-80%	67%

Notes

(a) New Howard Street ramps appear to exceed 9% slope. More detailed analysis is required.
(b) The new off-ramp to Bryant/Main has a grade exceeding 8%. More detailed analysis would be required.
(c) Closure or depression of Beale Street could be required to compensate for grade problems.
(d) Could require the partial closure of Beale Street to compensate for grade problems on the Bryant Street off-ramp.
(e) A privately-owned parcel of undeveloped land may have to be acquired along Bryant Street
(f) Caltrans' estimated costs for "clean-up contract". This is built in to other the other Alternatives' costs.
(g) The estimate for Alternative 2 does not include schedule considerations or cost estimates for right-of-way acquisition.
(h) Link to The Embarcadero roadway would not be re-established until 1998 at the earliest with the completion of the Mid-Embarcadero project.
(i) Percentage of freeway ramp capacity compared to pre-earthquake conditions.
(j) The range in on-ramp capacity relates to two variations: (1) An auxiliary lane ad between the TSS on-ramp to I-80/US 101 and the 4th Street on-ramp could potentially increase capacity by 500 vehicles. This variation is subject to further analysis. (2) Retention of the current Sterling Street ramp configuration could potentially increase ramp capacity by 500 vehicles.

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HOUSING & LAND USE COMMITTEE
BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

REGULAR MEETING

THURSDAY, SEPTEMBER 2, 1993–10:00 AM ROOM 228, City Hall

MEMBERS: Supervisors Sue Bierman, Bill Maher, Kevin Shelley

CLERK: Joni Blanchard

* * * * * * * * * * * * * * *

Disability Access

The Board of Supervisors Committee Meeting Room (228) and the Legislative Chamber of the Board are on the second floor of City Hall.

Both the Committee Room and the Chamber are wheelchair accessible. The closest accessible BART Station is Civic Center, 2 1/2 blocks from City Hall. Accessible MUNI line serving this location is the #42 Downtown Loop as well as the METRO stations at Van Ness and Market and at Civic Center. For more information about MUNI accessible services, call 923-6142.

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For a large print copy of an agenda, contact Moe Vazquez at (415) 554-4909.

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CONSENT CALENDAR

1. All matters listed hereunder constitute a Consent Calendar, are considered routine by the Committee, and will be acted upon by a single roll call vote of the Committee. There will be no separate discussion of items unless a member of the Committee or the public so requests, in which event the matter shall be removed from the Consent Calendar and considered as a separate item.

   a. File 18-93-6. [Stop Intersections] Recommending establishment of Stop Signs at various locations; DPT Order No. 457. (Department of Parking & Traffic)

      Thomas Avenue and Keith Street, northeast and southwest corners, stopping Thomas Avenue (makes this an all-way STOP).

      Deming and Uranus Streets, northwest, northeast and southwest corners, stopping all approaches (makes this T-intersection an all-way STOP).

      28th Avenue and Kirkham Street, northwest and southeast corners, stopping 28th Avenue (makes this an all-way STOP).

      17th Street and DeHaro Street, northeast and southwest corners, stopping 17th Street (makes this an all-way STOP).

      24th Street and Fountain Street, northeast, southwest and southeast corners, stopping all approaches (makes the T-intersection on all-way STOP).

      20th Street and Alabama Street, northeast and southwest corners, stopping 20th Street (makes this an all-way STOP).

      Merced Avenue and Kensington Way, northeast and northwest corners, stopping Merced Avenue and stopping Kensington Way, upper roadway (presently uncontrolled).

      Vasquez Avenue and Garcia Avenue, northwest, southwest and southeast corners, stopping Vasquez and Garcia Avenues (makes this an all-way STOP).

      Hernandez and Vasquez Avenues, northwest and southeast corners, stopping Vasquez Avenue (makes this an all-way STOP).

   b. File 19-93-8. [Parking Regulations] Recommending establishment of parking regulations at various locations; DPT Order No. 457. (Department of Parking & Traffic)

      No Parking Anytime - Establish
      Ignacio Avenue, both sides, between Gilroy Street and south terminus (unit block).

      Tow-Away, no parking, 11 a.m. - 4 p.m., Monday through Friday - Establish
      Newhall Street, east side, from the center line of Carroll Street to 105 feet northerly (105-foot zone).

Angle (90-degree) parking - Establish

Loomis Street, east side, between Oakdale and Barneveld Avenues.

Tow-Away, no parking anytime - Establish

5th Street, both sides, between King and Berry Streets.
Berry Street, north side, from 5th Street to 150 feet easterly (150-foot zone).

Non-Metered Motorcycle Parking - Establish

Fillmore Street, west side, from 121 feet to 143 feet north of Hayes Street (22-foot zone, accommodating 5-motorcycle stalls).

Sanchez Street, west side, from 16th Street to approximately 13 feet northerly (13-foot zone, accomodating 3 motorcycle stalls).

c. File 20-93-8. [Traffic Regulations] Recommending establishment and revocation of traffic regulations, various streets; DPT Order No. 457. (Department of Parking & Traffic)

Multiple Turning Lanes - Rescind

Van Ness Avenue, northbound, left turn, at Bay Street.
Van Ness Avenue, southbound, right turn at Bay Street.

Right Lane Must Turn Right Except MUNI - Establish

Van Ness Avenue, southbound, at Bay Street.

Left Lane Must Turn Left - Establish

Van Ness Avenue, northbound, at Bay Street.

Tow-Away, no stopping anytime - Establish

Sutter Street, north side, between Kearny Street and Grant Avenue.

d. File 20-93-7. [Traffic Regulations] Recommending establishment of Tow-Away, No Stopping Anytime, traffic regulation, 19th Avenue, east side, from Holloway Avenue to 450 feet northerly (450-foot zone); DPT Order No. 473. (Department of Parking & Traffic)

Tow-Away, No Stopping Anytime - Establish

19th Avenue, east side, from Holloway Avenue to 450 feet northerly (450-foot zone).

ACTION:

REGULAR CALENDAR

2. File 111-93-1. [Interim Controls] Resolution imposing interim zoning controls to prohibit introduction of additional establishments, or any expansion of existing establishments, selling alcoholic beverages in the area generally bounded by Fourteenth Street, Army Street, South Van Ness Avenue and Guererro Street. (Supervisor Shelley)

(Consideration continued from 8/19/93)

ACTION:

3. File 114-91-2. [Sprinkler Systems, High-rise Buildings] Substitute ordinance amending Building Code by amending Section 1746 to require installation of automatic sprinkler systems in existing high-rise buildings. (Supervisor Hsieh)

   FISCAL IMPACT

   ACTION:

4. File 10-93-4. [United Nations Plaza Farmers Market Permit] Ordinance approving a revocable permit for a farmers' market at United Nations Plaza. (Chief Administrative Officer)

   ACTION:

5. File 36-93-3. [Zoning Map Changes] Ordinance adopting changes in property use classification as an amendment to the Zoning Map of the City and County of San Francisco of property located at 1084-86 Huron Street, Lots 15, 16 and 17, Assessor's Block 7145 from an RH-2 District to an NC-2 Neighborhood Commercial District; and adopting findings pursuant to Planning Code Section 101.1. (Department of City Planning)

   ACTION:

6. File 169-93-2. [Street Artists] Resolution designating five former temporary selling spaces on Market Street, south side, Sutter and Sansome Streets, as permanent selling spaces for street artists certified by Art Commission; holding harmless from any litigation any building adjacent to said spaces. (Supervisor Hallinan, Alioto)

   ACTION:

Housing & Land Use Committee
Board of Supervisors
City Hall, Room 235
San Francisco, CA 94102

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Public Library, Documents Dept.
ATTN: Jane Hudson

CITY AND COUNTY OF SAN FRANCISCO

BOARD OF SUPERVISORS
BUDGET ANALYST
1390 MARKET STREET, SUITE 1025
SAN FRANCISCO, CALIFORNIA 94102 • TELEPHONE (415) 554-7642

August 31, 1993

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TO: Housing and Land Use Committee

FROM: Budget Analyst

SUBJECT: September 2, 1993 Housing and Land Use Committee Meeting

Item 3 - File 114-91-2

Department: San Francisco Fire Department, Bureau of Fire Prevention
Department of Public Works, Bureau of Building Inspection

Item: Ordinance amending Part II, Chapter I of the San Francisco Municipal Code (Building Code) by amending Section 1746 to require installation of automatic fire sprinkler systems in existing high-rise buildings.

Description: The proposed ordinance would amend the San Francisco Building Code to require that existing high-rise buildings in San Francisco that currently do not have fire sprinkler systems be retrofitted with such systems. The proposed amendment to the Building Code would also require the Superintendent of the Department of Public Works to submit a written notice to the owner of each existing high-rise building that does not presently have a fire sprinkler system within 60 days of the approval of this ordinance. That notice would inform the building owner of these new requirements to install a fire sprinkler system.

The proposed Building Code amendment would require the building owner to a) return a Notice of Intent within three years of the approval of this ordinance to the Department of Public Works describing the building's existing fire suppression equipment and features (such as water supply connections, pumps or partial sprinkler system) and a tentative schedule for installing a complete fire sprinkler system, b) install an automated water supply system within five years and c) complete the fire sprinkler system installation within 12 years.

Comments:

1. Currently, fire sprinkler systems must be installed in new and existing high-rise buildings if the use of an existing high-rise building is being changed. All high-rise buildings (both new and existing) are required to have smoke detector systems.

2. In May, 1991, the Bureau of Fire Prevention reported that there were 338 high-rise buildings in San Francisco that required fire sprinkler systems and that approximately 283 of these high-rise buildings did not have fire sprinkler systems, Of the 283 high-rise buildings that did not have fire sprinkler systems, 143 were commercial buildings, 24 were hotels and 116 were residential buildings.

3. The proposed amendment to the Building Code has been drafted through the combined efforts of the Fire Department, the Department of Public Works, the City Attorney's Office, representatives of the fire-sprinkler protection industry and the Building Owner's and Manager's Association (BOMA).

4. Mr. Dot Yee of the Bureau of Building Inspection indicates that the one-time costs of required notifications by the Superintendent of Building Inspection (estimated at between $2,000 and $3,000) will be absorbed by the Department of Public Works 1993-94 budget and will be recovered by existing plan checking and inspection fees when building owners apply for permits and inspections to install fire sprinkler systems in their buildings.

5. Mr. Yee reports that the net costs to the building owners of installing fire sprinkler systems are difficult to calculate because some of the costs may be offset by reduced fire insurance costs.

Recommendation: Approval of the proposed ordinance is a policy matter for the Board of Supervisors.

Item 4 File 10-93-4

Department: Chief Administrative Officer (CAO)

Item: The proposed ordinance would approve a revocable permit for a Farmer's Market at the United Nations Plaza. A revocable permit is a permit which can be revoked by the City for reasonable cause. A permit is being entered into instead of a contract agreement because, according to the CAO's Office, the United Nations Plaza is legally considered to be a street.

Description: According to the CAO's office, a Farmer's Market has been operated at the United Nations Plaza since June of 1981. Initially, the Market was operated as a project of the Market Street Development Corporation, a nonprofit corporation. Ms. Joan Lubamersky of the CAO's Office advises that the City granted a revocable permit to the Market Street Development Corporation in 1982 after the Corporation had been operating the Farmer's Market for a period of time without formal authorization. In 1987, a new nonprofit corporation, the Heart of the City Farmer's Market, was formed by members of the Market Street Development Corporation to operate the Market and all assets of the Market were transferred from the Market Street Development Corporation to the Heart of the City Farmer's Market. The permit with the Market Street Development Corporation that authorized operation of a Farmer's Market expired on August 1, 1986. Since that time, the Market has operated with no written authorization, according to Ms. Lubamersky. The Heart of the City Farmer's Market consists of volunteer representatives of the participating vendors at the Farmer's Market and local and neighborhood businesses. Ms. Lubamersky advises that the reason that the authorization for the revocable permit is only now being requested for Heart of the City Farmer's Market is primarily because negotiations with the Heart of the City Farmer's Market, neighborhood businesses and multiple City departments have been slow and complex. Ms. Lubamersky advises that no competitive Request for proposals has been issued for the Farmer's Market.

The proposed revocable permit between the City and Heart of the City Farmer's Market outlines the guidelines, regulations and requirements of the Corporation's use of the United Nations Plaza to operate the Farmer's Market. In accordance with the revocable permit, the following conditions would be in effect:

1. Heart of the City Farmer's Market would operate the Farmer's Market in the Plaza on Wednesday and Sunday of each week from 6:00 a.m. to 6:00 p.m., except that Heart of the City Farmer's Market may elect not to operate on a given day or to operate on a shortened or lengthened schedule by prior agreement with the Department of Public Works (DPW).

2. Heart of the City would pay the City a permit fee in the amount of $1.00 per year. According to Ms. Lubamersky, the reason that only $1.00 is being charged to Heart of the City Farmer's Market is because the CAO believes that the social benefits to the City take precedence over the City's potential receipt of revenues from the Farmer's Market (see Comment 2, below). Any costs associated with the operation of the Farmer's Market would be paid by the Heart of the City Farmer's Market to the City.

3. A daily stall fee of $16.00 would be charged by the Heart of the City Farmer's Market to each vendor of products offered for sale at the Farmer's Market. This fee may be adjusted at the discretion of the Heart of the City Farmer's Market. Such fees would be collected by Heart of the City Farmer's Market and would be used in the operation of the Farmer's Market and in the maintenance of the Plaza. (This $16.00 daily stall fee has been in effect since 1988. Prior to that time the fee was $14.00.)

4. Heart of the City Farmer's Market would be solely responsible for the payment of all utility costs including, but not limited to, water, gas, electricity, telephone service, scavenger service and janitorial service. Heart of the City Farmer's Market would agree to keep the permit area and fixtures and equipment located thereon, in a clean, neat, safe, and sanitary condition. The permit area consists of the United Nations Plaza at Fulton and Leavenworth Streets.

5. Heart of the City Farmer's Market would pay $150 to the City each month to reimburse the City for DPW's costs to remove vegetable and fruit particles which grind into the Plaza's brick surface. If the Farmer's Market operates more than two days per week, as authorized by the DPW, payment would be increased $75 per month for each additional day per week.

6. Throughout the term of the permit, Heart of the City Farmer's Market would be required to make annual reports of gross revenues received from each vendor's stall fees using forms and methods approved by the City Controller. Heart of

the City Farmer's Market would be required to make available to the City all books, reports and accounts pertaining to any of its operations. Upon request of the City, Heart of the City Farmer's Market books and records would be subject to audit, at Heart of the City Farmer's Market's sole expense, by a certified public accountant approved by the Controller. Also upon request by the Controller, Heart of the City Farmer's Market would be required to submit a complete annual operating statement reflecting gross revenues and expenses.

7. At least annually, Heart of the City Farmer's Market would be required to provide a public safety audit of the Farmer's Market, to be performed by a qualified third party acceptable to the City's Department of Agriculture/Weights and Measures. Heart of the City Farmer's Market must provide a copy of such audit to the Department of Agriculture/Weights and Measures. A public safety audit includes, but is not limited to, checking (1) vehicular safety, (2) storage of combustible materials, walkways to determine if there are obstructions or safety hazards (i.e., waste or wet conditions), and (3) equipment, displays and vegetative matter to determine if there are safety hazards.

8. Heart of the City Farmer's Market must maintain, at its sole expense, during the term of the permit, Workers Compensation, Comprehensive General Liability and Automobile Liability insurance. The City must be named as additional insured under the General Liability and the Automobile Liability insurance.

9. Heart of the City Farmer's Market agrees to indemnify the City its officers, agents and employees from every claim, loss, damage, injury, expense, judgment and direct or indirect liability of any kind or description arising out of Heart of the City Farmer's Market's use of the permit area, except where such claim, loss, damage, injury, expense, judgment or liability is caused solely and directly by the willful misconduct of the City.

Comments:

1. Ms. Lubamersky advises that in addition to the above noted provisions of the revocable permit, prior to signing the permit, the Heart of the City Farmer's Market would also be required to pay DPW $2,500 for damages sustained by the brick surface on the Plaza. The $2,500 amount was determined by DPW.

2. Under the prior permit with the Market Street Development Corporation, the Corporation was required to

pay the City any and all net profits resulting from the operation of the Farmer's Market. In 1986, the last year operated by the Market Street Development Corporation no monies were paid to the City. Ms. Lubamersky states that Market Street Development Corporation previously advised the CAO that for the period 1981 to 1985 the Corporation either incurred a loss or earned minimal profits. According to Ms. Lubamersky no audits were made of the Corporation's financial books or records. As of the writing of this report, the CAO was unable to provide the annual gross revenues and operating costs for the Farmer's Market for the prior two fiscal years.

Recommendation: Approval of the proposed ordinance is a policy matter for the Board of Supervisors.

Item 6 File 169-93-2

Department: Art Commission

Item: Resolution designating five former temporary selling spaces on Market Street, south side, near Sutter and Sansome Streets, as permanent selling spaces for street artists certified by the Art Commission; and holding harmless from any litigation the owners and/or management of any buildings adjacent to said spaces.

Description: The Art Commission reports that the Street Artist Ordinance, adopted by the electorate in November of 1975, authorizes the Board of Supervisors to designate sales areas where artists or craftspersons, that have been certified by the Art Commission may sell art or craft items.

The Art Commission advises that the Board of Supervisors previously designated five selling spaces on a temporary basis on Market Street (adjacent to the Chevron building), south side, near Sutter and Sansome Streets, pending review by a committee of the Board of Supervisors to determine whether or not these designations endangered the public or resulted in congested pedestrian traffic in the immediate area. The Art Commission is now proposing that these selling spaces be converted from temporary to permanent spaces.

The Art Commission reports that the subject of the proposed conversion of the five temporary selling to permanent selling spaces was considered at two separate public hearings. The first public hearing was held by the Art Commission's Street Artists Program Committee on June 9, 1993 and the second public hearing was held by the Art Commission on July 12, 1993. Mr. Howard Lazar, Director of the Street Artist Program, states that the Street Artist Program notified 40 store merchants and merchant/building owner associations in the immediate area of the five selling spaces regarding the hearings. Mr. Lazar stated that there was no opposition to the conversion of the five temporary selling spaces to permanent selling spaces nor was there any negative testimony regarding public safety or pedestrian congestion in connection with these selling spaces at the two hearings. The Art Commission advises that the Market Street Association, a merchant association (formerly known as the Greater Market Street Association), has endorsed the proposal to convert the five temporary selling spaces to permanent selling spaces.

Comments:

1. Mr. Lazar states that a representative of Chevron has informed the Art Commission that Chevron has no objection to the five selling spaces, which are adjacent to the Chevron building, being designated as permanent selling spaces, provided that there is adequate Police Department enforcement at the site. Mr. Lazar reports that the Street Artist program has included $10,000 in its 1993-94 budget for Police enforcement for street artist selling places located at Fisherman's Wharf and at various downtown area locations for the summer and the holiday seasons. Mr. Lazar advises that if the proposed resolution is approved, the Art Commission intends to submit a supplemental appropriation in an amount that would range from approximately $7,000 to approximately $13,000 to be used in FY 1993-94 for additional Police Department enforcement services for the five selling spaces adjacent to the Chevron building and to expand Police Department enforcement at the Fisherman's Wharf area as well as the downtown areas. The source of funds for the proposed supplemental appropriation would be the Street Artist Fund. This Fund consists of revenues from annual license fees charged to street artists. Mr. Lazar reports that this Fund has a current balance of approximately $60,000. Street artists are charged an annual license fee of $350. There are presently 462 street artists licensed by the Art Commission.

2. In addition to authorizing the five selling spaces to be converted from temporary to permanent spaces, the proposed resolution would also hold harmless the owners and/or management of any buildings adjacent to the five selling spaces from litigation resulting from the designations of these five spaces as selling spaces for street artists. The City Attorney's Office has approved this legislation as to form.

Recommendation: Approval of the proposed resolution is a policy matter for the Board of Supervisors.

Harvey M. Rose

cc: Supervisor Bierman
Supervisor Maher
Supervisor Shelley
President Alioto
Supervisor Conroy
Supervisor Hallinan
Supervisor Hsieh
Supervisor Kaufman
Supervisor Kennedy
Supervisor Leal
Supervisor Migden
Clerk of the Board
Chief Administrative Officer
Controller
Teresa Serata
Theresa Lee
Ted Lakey

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HOUSING & LAND USE COMMITTEE
BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

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REGULAR MEETING

THURSDAY, September 16, 1993 - 10:00 a.m. ROOM 228, City Hall

MEMBERS: Supervisors Sue Bierman, Bill Maher, Kevin Shelley

CLERK: Joni Blanchard

* * * * * * * * * * * * * * *

Disability Access

The Board of Supervisors Committee Meeting Room (228) and the Legislative Chamber of the Board are on the second floor of City Hall.

Both the Committee Room and the Chamber are wheelchair accessible. The closest accessible BART Station is Civic Center, 2 1/2 blocks from City Hall. Accessible MUNI line serving this location is the #42 Downtown Loop as well as the METRO stations at Van Ness and Market and at Civic Center. For more information about MUNI accessible services, call 923-6142.

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Assistive listening devices are available for use in the Meeting Room and the Board Chamber. A device can be borrowed prior to or during a meeting. Borrower identification is required and must be held by Room 235 staff.

The following services are available on request 72 hours prior to the meeting or hearing:

For American sign language interpreters or the use of a reader during a meeting, contact Violeta Mosuela at (415) 554-7704.
For a large print copy of an agenda, contact Moe Vazquez at (415) 554-4909.

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CONSENT CALENDAR

1. All matters listed constitute a Consent Calendar, are considered routine by the Committee, and will be acted upon by a single roll call vote. There will be no separate discussion of items unless a member of the Committee or the public so requests, in which event the matter shall be removed from the Consent Calendar and considered as a separate item.

   a. File 19-93-9. [Parking Regulation] Recommending establishment of parking regulation, Temporary Angle Parking, John Muir Drive, south side, from Lake Merced Boulevard to a point approximately 3,840 feet westerly; DPT Order No. 486. (Dept. of Parking & Traffic)

   b. File 20-93-9. [Traffic Regulation] Recommending establishment of traffic regulation, Street Closed To Vehicular Traffic, 11 a.m. to 5 p.m., Every Day Including Holidays, Maiden Lane, between Stockton and Kearny Streets; DPT Order No. 445. (Dept. of Parking & Traffic)

   c. File 20-93-10. [Traffic Regulation] Recommending establishment of traffic regulation, Temporary Pedestrian Crosswalk, John Muir Drive, at a point approximately 4,500 feet west of Lake Merced Boulevard; DPT Order No. 486. (Dept. of Parking & Traffic)

   ACTION:

REGULAR CALENDAR

2. File 111-93-1. [Alcoholic Beverage Special Use District] Resolution imposing interim zoning controls to prohibit introduction of additional establishments, or any expansion of existing establishments, selling alcoholic beverages in area generally bounded by Fourteenth Street, Army Street, Potrero Avenue and Guerrero Street. (Supervisors Shelley, Bierman, Leal)
   (Consideration continued from 9/2/93)

   ACTION:

3. File 36-93-3. [Zoning Map Changes] Ordinance adopting changes in property use classification as an amendment to Zoning Map of San Francisco of property located at 1084-86 Huron Street, Lots 15, 16 and 17, Assessor's Block 7145 from an RH-2 District to an NC-2 Neighborhood Commercial District; and adopting findings pursuant to Planning Code Section 101.1. (Department of City Planning)
   (Consideration continued from 9/2/93)

   ACTION:

4. File 295-93-1. Hearing to consider the status of planning for the Northeast Mission Industrial Zone. (Supervisor Bierman)

   ACTION:

Economic Vitality & Social Policy Committee
Housing & Land Use Committee
Board of Supervisors
City Hall, Room 235
San Francisco, CA 94102

Important Hearing Notices!!!

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ATTN: Jane Hudson

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CITY AND COUNTY OF SAN FRANCISCO

BOARD OF SUPERVISORS

BUDGET ANALYST
1390 MARKET STREET, SUITE 1025
SAN FRANCISCO, CALIFORNIA 94102 • TELEPHONE (415) 554-7642

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September 14, 1993

TO: Housing and Land Use Committee

FROM: Budget Analyst

SUBJECT: September 16, 1993 Housing and Land Use Committee Meeting

Item 4 - File 295-93-1

This is a hearing to consider the status of planning for the Northeast Mission Industrial Zone.

As described in the attached map (Attachment A), the Northeast Mission Industrial Zone (NEMIZ) is roughly bounded by the Central Skyway, 20th, Potrero and Capp Streets. It includes a narrow tail along Harrison Street south to 23rd Street plus a northwesterly extension to Valencia Street between 15th Street and the Skyway. The area encompasses over 300 acres or approximately 50 city blocks and is generally composed of M-1 (light industrial) and C-M (heavy commercial) districts. It has many warehouses, light manufacturing uses and business services (especially construction related), administrative offices and laboratories for the University of California, San Francisco (UCSF), a growing artists community, including live/work, galleries and performance spaces, and scattered housing throughout the area.

As a result of two years of studying the Northeast Mission Industrial Zone, the Planning Department has developed three planning and zoning proposals for the NEMIZ. The Department reports that these proposals are to guide public discussion on the future of the NEMIZ including public hearings before the City Planning Commission and the Board of Supervisors. The study began in 1991 with a discussion of the Planning and Zoning Committee of the Mayor's Task Force on the Mission (MTFM), two community-wide hearings and intensive meetings with a working committee entitled the Community Planning Committee. The Community Planning Committee consisted of representatives of various community interests, including residents, property owners, business people, major institutions and community-based organizations, along with Planning Department staff.

The NEMIZ planning and zoning study and the resulting proposals are part of an ongoing examination of the City's eastern industrial areas, from South of Market to the South Bayshore. The goal of these studies is to review and, if necessary, revise the planning policies and zoning controls in the industrially classified areas of the City. The Planning Department is evaluating: 1) whether the City has reserved sufficient land for industry; 2) whether that land is in appropriate locations and 3) whether special industrial preservation zones are warranted. The Department's larger goals are to promote future development of the NEMIZ area in ways that will benefit not only residents, workers, property owners and visitors of the area but will also contribute to the economic development of the entire City.

The three planning and zoning proposals for the Northeast Mission Industrial Zone are as follows:

1. Industrial Special Use District (ISUD)-- This proposal would preserve industry in a core industrial area and include housing at its fringes. As described in Attachment B, this proposal would:

- Overlay an Industrial Special Use District (ISUD) on the existing M-1 zoning in the northeast quadrant from San Bruno Avenue to Folsom Street between Central Skyway and 16th Street with an extension roughly from 16th to 19th Streets between Folsom and Florida Streets, which would prohibit housing and amend the Planning Code to clarify definitions of bioscience and related uses.

- Retain the existing M-1 zoning in the central area surrounding ISUD.

- Create a NEMIZ Affordable Housing Special Use District (NAHSUD) at the eastern and southern edge of the M-1 district.

- Rezone all existing C-M districts to Service/Light Industrial/Residential (SLR) from 14th to 17th Streets between Shotwell and Capp Streets and to Residential/Service Mixed Use Districts from 20th Street to the southern boundaries and west of Mission.

- Make minor adjustments in zoning district boundaries to eliminate discrepancies between existing uses and zoning requirements.

- Revise height and Bulk limits with the aim of improving urban form.

2. The Bioscience Special Use District-- As described in Attachment C, this proposal would:

- Create a Bioscience Special Use District (BSUD) from Potrero Avenue to Folsom Street between Central Skyway to 16th Street with an extension from 16th to 19th Streets between Folsom and Florida Streets.

- Create an Industrial Special Use District (ISUD) from 16th to 19th Streets between Potrero Avenue and Florida Street and from Division to 19th Street between Folsom and Shotwell.

- Rezone all remaining C-M districts (west of South Van Ness Avenue to the western NEMIZ boundaries and from 19th Street to the southern NEMIZ boundaries) to Service/Light Industrial/Residential, M-1 or Residential/Service Mixed Use District.

- Revise height and bulk limits with the aim of improving urban form.

- Make minor adjustments in zoning district boundaries to eliminate discrepancies between existing uses and zoning requirements.

- Extend the proposed ISUD east of the original NEMIZ study area to include the area zoned M-1 that is bounded by Potrero Avenue and Division, Vermont and 16th Streets.

3. Industrial Promotion and Mixed-Use Plan-- This proposal would preserve existing industrial uses in a core industrial area by surrounding it with a light industry buffer accompanied by residential uses on the fringes. As described in Attachment D, this proposal would:

- Create an Industrial Special Use District (ISUD) overlaying the existing M-1 (light industry) zoning in the northeast quadrant. This ISUD would prohibit housing.

- Retain the existing M-1 zoning in the central area surrounding the ISUD to serve as a buffer and to encourage a wide mix of uses.

- Create an Affordable Housing Special Use District (HSUD) at the northeastern edge of the M-1 district.

- Rezone all existing C-M districts to Service/Light Industrial/Residential roughly from Shotwell and Capp Streets between 14th and 17th Streets and to Residential/Service Mixed Use from 20th Street to the Southern NEMIZ Study Area boundary and west of Mission Street. This zoning would encourage housing by requiring three square feet of residential use for every one square foot of non-residential use in new construction, and it protects existing housing from demolition and conversion.

- Rezone a highly mixed portion of the existing C-M and South Van Ness Avenue to a Service/Light Industrial/Residential.

- Make minor adjustments in zoning district boundaries to clean up discrepancies between existing uses and zoning requirements.

Comments

1. Although economic development was one of the stated goals of the NEMIZ planning and zoning study, the Planning Department has not conducted an economic impact analysis on the proposed zoning plans. According to Mr. Amit Ghosh of the Planning Department, the Department has begun an analysis of the economic impact of zoning NEMIZ for bioscience. Therefore, the extent to which any of the proposed plans would generate additional jobs and/or revenue to the City has not been determined.

2. According to Ms. Angelica Chiong of the Planning Department, the City would not have to directly pay for implementing any of the proposed plans. However, Ms. Chiong advises it is possible that the City might lose revenue through the proposed Bioscience Special Use District Plan by temporarily or permanently eliminating sources of business tax revenue. As noted above, since the Department has not conducted an economic impact analysis of the proposed zoning plans, the impact to the City's revenues has not been determined.

3. According to the Department, because it balances the competing needs in the NEMIZ, the Community Planning Committee agreed on the third proposal listed above, The Industrial Promotion and Mixed Use Plan (Attachment D).

4. Ms. Chiong further advises that the Department has not made any recommendations regarding which proposal should be selected. Ms. Chiong reports that an environmental review must first be conducted before a proposal can receive final approval by the Planning Commission. An environmental review would result in either an Environmental Impact Report (EIR) or a Negative Declaration of environmental impact. According to the Planning Department, if an EIR is conducted, the cost would depend on whether one or all three proposals are reviewed. If all three proposals are reviewed by an outside firm, it would take from two to two and a half years to complete at an approximate total cost of $500,000. If only one proposal is reviewed or if the bioscience zoning is excluded, the cost to conduct an EIR would decrease by an unspecified amount. The Department was unable to identify the source of funds for an EIR. However, the City's General Fund generally funds EIRs conducted by outside firms for projects such as zoning changes. The Board of Supervisors must approve all zoning changes made by the Planning Commission and would, therefore, approve any zoning changes for the NEMIZ.

Harvey M. Rose

cc: Supervisor Bierman
Supervisor Maher
Supervisor Shelley
President Alioto
Supervisor Conroy
Supervisor Hallinan
Supervisor Hsieh
Supervisor Kaufman
Supervisor Kennedy
Supervisor Leal
Supervisor Migden
Clerk of the Board
Chief Administrative Officer
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Teresa Serata
Theresa Lee
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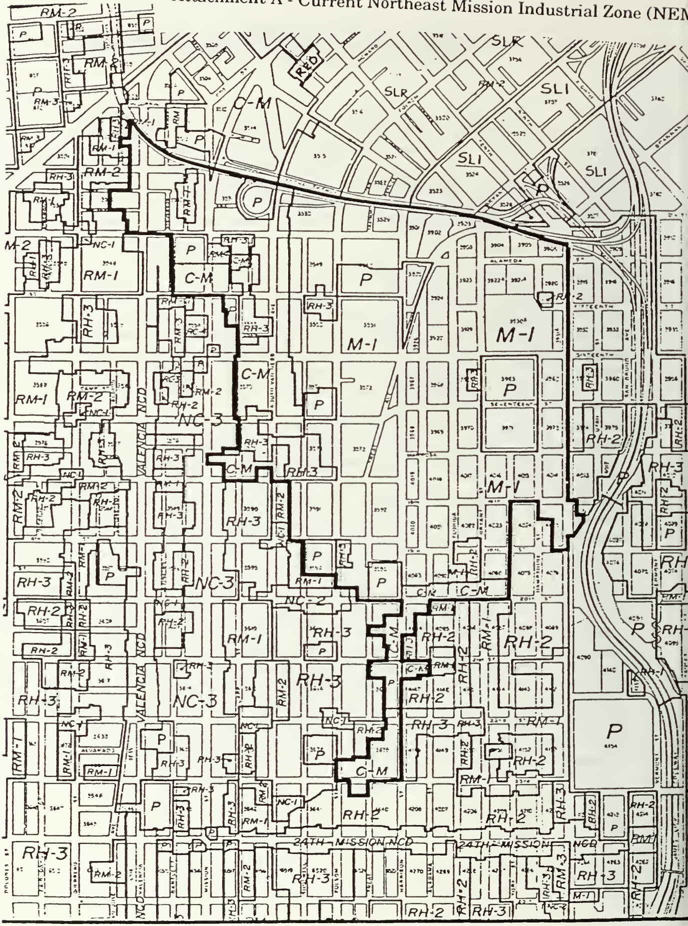
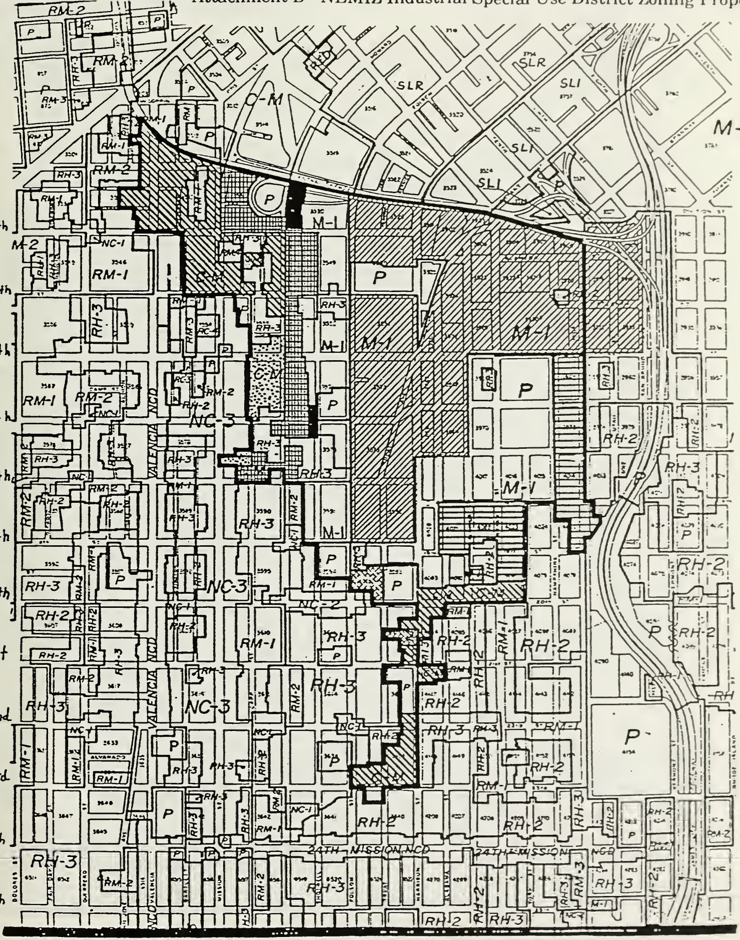
Attachment A - Current Northeast Mission Industrial Zone (NEM



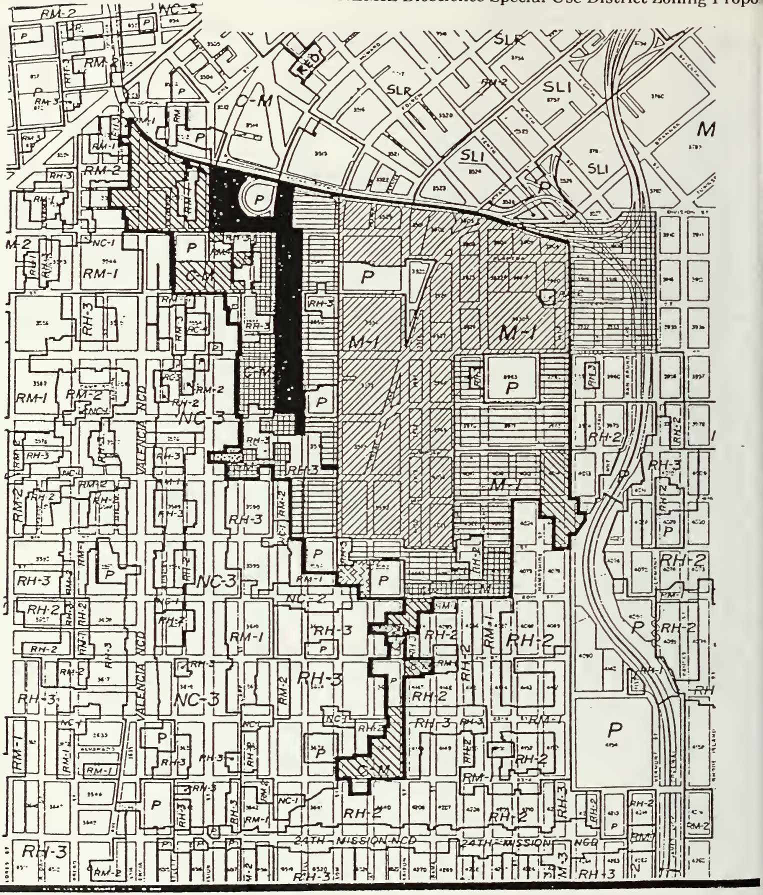
NORTHEAST MISSION INDUSTRIAL ZONE ZONING DISTRICT



NORTHEAST MISSION INDUSTRIAL ZONE
Proposed Rezoning

- ▨ P
- ■ M-1 LIGHT INDUSTRIAL
- ▦ SLR = SERVICE/LIGHT INDUSTRIAL/RESIDENTIAL DISTRICT.
- ░ NC-3 NEIGHBORHOOD-COMMERCIAL.
- ▤ NAHSUD:—NEMIZ: AFFORDAB HOUSING SPECIAL USE DIST
- ▨ ISUD = INDUSTRIAL SPECIAL USE DISTRICT
- ▧ RSD = RESIDENTIAL SERVICE DISTRICT.
- ☐ EXISTING ZONING TO REMAIN

Attachment C - NEMIZ Bioscience Special Use District Zoning Propo



NORTHEAST MISSION INDUSTRIAL ZONE
Proposed Rezoning

▤ INDUSTRIAL ISUD= SPECIAL USE DISTRIC

☐

▦ SLR: SERVICE/LIGHT INDUSTRIAL/RESIDENTIAL DISTRICT.

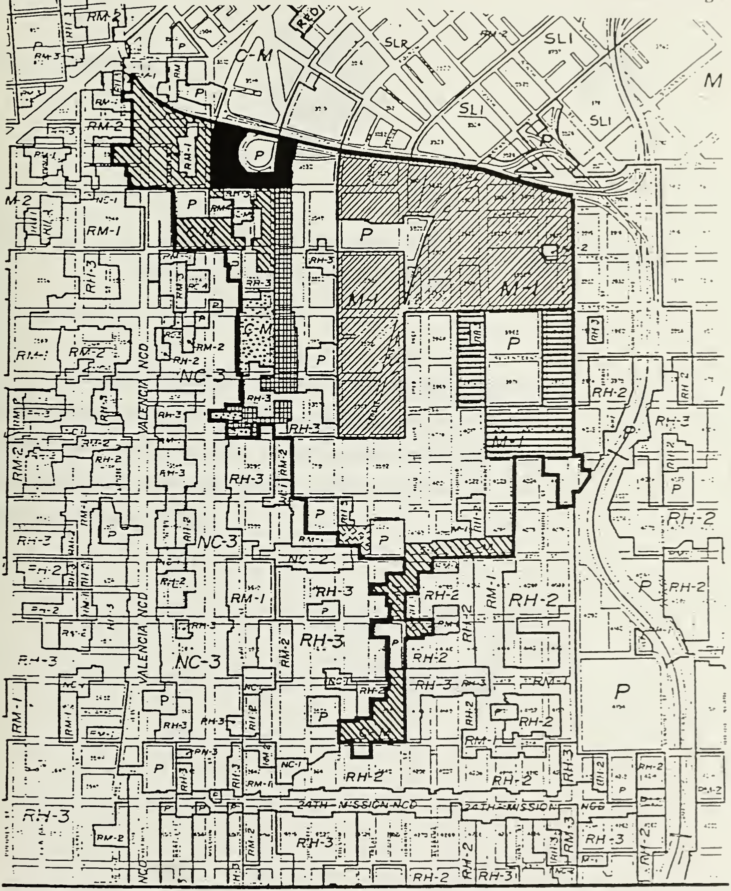
▨ BSUD: BIOTECH SPECIAL U DISTRICT

■ M-1 : LIGHT-INDUSTRIAL

▩ P:

▧ RSD: RESIDENTIAL SERV. D

Attachment D - NEMIZ Industrial Promotion and Mixed-Use Plan Zoning Propos



NORTHEAST MISSION INDUSTRIAL ZONE
As Agreed by Working Committee

▨ P

■ M-1 LIGHT INDUSTRIAL

▦ SLR - SERVICE / LIGHT INDUSTRIAL / RESIDENTIAL DISTRICT.

▒ NC-3 NEIGHBORHOOD - COMMERCIAL. .

▤ NAHSUD: - NEMIZ: AFFORDA HOUSING SPECIAL USE DIS

▨ ISUD = INDUSTRIAL SPECIAL USE DISTRICT

▧ RSD - RESIDENTIAL SERVICE DISTRICT.

☐ EXISTING ZONING TO REMAIN

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BOARD of SUPERVISORS

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NOTICE OF CANCELED MEETING

HOUSING AND LAND USE COMMITTEE

NOTICE IS HEREBY GIVEN that the regularly scheduled meeting of the Housing and Land Use Committee for Thursday, October 7, 1993, at 10:00 a.m., has been canceled. The next regularly scheduled meeting of the Committee is Thursday, October 21, 1993, at 10:00 a.m. in Room 228, Second Floor, City Hall.

John L. Taylor
JOHN L. TAYLOR
Clerk of the Board

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CITY AND COUNTY OF SAN FRANCISCO

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BUDGET ANALYST
1390 MARKET STREET, SUITE 1025
SAN FRANCISCO, CALIFORNIA 94102 • TELEPHONE (415) 554-7642

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October 19, 1993

TO: Housing and Land Use Committee

FROM: Budget Analyst

SUBJECT: October 21, 1993 Housing and Land Use Committee Meeting

Item 1c - File 10-93-5

Department:	Department of Public Works (DPW)
Item:	Resolution granting revocable permission to the Anchor Brewing Company to construct an underground telecommunication and process piping connection on Mariposa Street between De Haro and Carolina Streets, and adopting findings pursuant to City Planning Code Section 101.1
Description:	The proposed resolution would grant permission to Anchor Brewing Company to encroach upon a portion of City property on Mariposa Street between De Haro and Carolina Streets. Such encroachment would permit Anchor Brewing Company to construct an underground telecommunication and process piping connection, consisting of one 24-inch steel conduit and one 4-inch conduit.

The Board of Supervisors may revoke the proposed permission at will. In addition, permission would automatically be terminated if Anchor Brewing Company failed to continue insurance protection for the encroachment. The permission would not become effective until Anchor Brewing Company has executed a street encroachment agreement and until the Controller has reviewed Anchor Brewing Company's insurance policy for the encroachment.

Under the proposed resolution, Anchor Brewing Company would, in accordance with the State Government Code Section 4216.1, become a member of the Underground Service Alert - Northern California. The purpose of this organization is to alert appropriate agencies (i.e., Pacific Gas and Electric, telephone companies, and the City's Water Department) that excavation is going to occur at a specific site so that these agencies are aware that the excavation is taking place and can go to the site and mark the area if they have any lines, cables, etc., in the immediate area.

The proposed resolution also provides that the Board of Supervisors would reserve the right to charge Anchor Brewing Company a recurring rental fee for the encroachment on public property. In addition, Anchor Brewing Company would be responsible for procuring the necessary permits and paying for the necessary permit and inspection fees before starting construction work. Anchor Brewing Company would also assume all costs, including maintenance and repairs associated with the encroachment, as well as any removal or relocation expenses. There are to be no costs incurred by the City.

Comments:

1. The City Planning Commission has declared that the project intended by the encroachment is consistent with the eight priority policies of City Planning Code Section 101.1.

2. A noted above, the Board of Supervisors would reserve the right to charge Anchor Brewing Company a permit or rental fee for the encroachment on City property. According to Ms. Denise Brady, Chief of the Bureau of Street-Use Mapping, no recurring permit or rental fee has yet been established for this or any other encroachment. Ms. Brady advises that the DPW has included a provision in the proposed resolution for the Board of Supervisors to reserve the right for the City to charge a recurring permit or rental because the Department believes such a charge has merit.

3. Ms. Brady states that the DPW recognizes that certain policy issues would have to be resolved regarding such a recurring permit or rental fee, since establishing such a fee could potentially effect a wide range of encroachments City-wide, including, certain underground basements. Once the feasibility of such a charge has been established, the policy for charging a recurring permit or rental fee and the mechanism for implementing the policy would require Board of Supervisors approval.

4. DPW advises that Anchor Brewing Company has executed a street encroachment agreement with the City. The DPW reports that the Department held a public hearing on June 18, 1993 on the proposed encroachment and no objections were made to the project.

5. DPW advises that Anchor Brewing Company has paid the required permit processing fee of $800 to the City. Once the construction costs have been calculated for the proposed project, Anchor Brewing Company will also be required to pay an, as yet undetermined, inspection fee which would be based on a percentage of the construction costs.

Recommendation: Approve the proposed resolution.

Item 6 - File 125-93-3

Department: Department of Public Works (DPW)

Item: Draft ordinance to amend Section 1204 and 1209 of the City's Housing Code to change the definition of accessible attic space and to increase the limit of expenditure for compliance with the requirements of the City's Residential Energy Conservation Ordinance.

Description: Section 1204 of the City's existing Housing Code defines accessible attic space as a space between a ceiling joist and roof rafter where the vertical clear height from the top of the bottom chord of the truss, or ceiling joist, to the underside of the roof sheathing at the roof ride is 18 inches or greater. The proposed ordinance would change this definition from 18 inches or greater to 12 inches or greater, a reduction of 6 inches.

In addition, Section 1209 of the City's existing Housing Code states that no building owner will be required to spend more than one percent of the purchase price, or one percent of the assessed value of the building, whichever is greater, to comply with the requirements of the City's Residential Energy Conservation Ordinance. For buildings of two units or less, the cost shall not exceed $1,000, provided that the building owner installs the required energy conservation measures for which the total expenditures does not exceed the cost limitations. Under the proposed ordinance, the $1,000 limit for buildings of two units or less would be increased to $1,300, plus a three percent annual increase every year after January 1, 1994.

Comments: 1. Ms. Lesley Stansfield of DPW reports that the City's Residential Energy Conservation Ordinance was initiated in 1982, at which time the accessible attic space definition was 30 inches or greater. In the beginning of 1984, the definition of accessible attic space was reduced to the current 18 inches or more provision.

2. Based on a recent study conducted by the Public Utilities Commission's (PUC) Bureau of Energy Conservation, "adding insulation to low-crawl flat roofed homes with no existing ventilation will not cause a significant increase in attic moisture condensation and will not present a risk to the San Francisco's housing stock". As a result of this conclusion, the PUC's Bureau of Energy Conservation supports reducing the Residential Energy Conservation Ordinance accessible attic

space definition from the current 18 inches to the proposed 12 inches or greater.

3. DPW could not provide the number of housing units that would be affected by the proposed changes. However, Ms. Stansfield notes that all buildings constructed after 1979 would be exempt from the proposed legislation because such buildings would have complied with current, more stringent State requirements. Furthermore, Ms. Stansfield notes that the proposed ordinance cannot be retroactively imposed on buildings that were exempted in the past from the City's Residential Energy Conservation Ordinance. According to Ms. Stansfield, if the proposed legislation is approved, DPW would need to redo various forms, manuals and memos to reflect the new changes, the cost of which should not be substantial. However, DPW should not incur any significant additional costs to implement the proposed legislation.

4. Regarding the cost limitations to comply with the City's Residential Energy Conservation Ordinance, the proposed change to increase the $1,000 limit for buildings of two units or less to $1,300, plus a three percent annual increase every year after January 1, 1994 is intended to reflect the inflationary increases associated with the costs of the required energy conservation measures. According to Ms. Stansfield, this provision was initiated by private insulation contractors to accommodate cost of living increases.

5. The proposed draft ordinance has been approved as to form by the City Attorney's Office.

6. An Amendment of the Whole endorsing the proposed changes to the City's Housing Code and making findings consistent with State law, is required by the California Health and Safety Code. Mr. Ted Lakey of the City Attorney's Office reports that a resolution has been prepared making the required findings and if the Board of Supervisors approves the proposed ordinance, the Board would prepare in and report out that resolution.

Recommendation: Approval of the proposed ordinance is a policy matter for the Board of Supervisors.

Memo to Housing and Land Use Committee
October 21, 1993 Housing and Land Use Committee Meeting

Item 7 File 109-93-6

Department: Rent Board

Item: Ordinance amending the Administrative Code by amending Sections 37.8 and 37.11A to (1) limit the amount of rent overpayments Hearing Officers may refund to tenants due to null and void rent increases, (2) limit the amount of tenants may recover in civil actions for rent overpayments resulting from null and void rent increases and the effective date from which such overpayments can be determined.

Description: The Board of Supervisors previously approved legislation aimed at limiting the amount of rent overpayments Hearing Officers may refund to tenants due to null and void rent increases and limiting the amount tenants may recover in civil actions for rent overpayments resulting from null and void rent increases (File 109-93-1).

Comments: 1. Mr. Joe Grubb, Executive Director of the Rent Board advises that the proposed ordinance would make minor technical changes to the previously approved legislation to provide clarity and to make the legislation conform to current practice. Under the proposed ordinance, Section 37.8 of the Administrative Code would be amended to add language to specify that the Hearing Officer may order refunds of rent overpayments resulting from rent increases which are null and void for no more than the three-year period preceding the month, of the filing of a landlord or tenant petition, plus the period between the month of filing and the date of the Hearing Officer's decision. The current legislation references the word date instead of month.

2. The proposed ordinance would amend Section 37.11A of the Administrative Code to read that any monetary award for rent overpayments resulting from a rent increase which is null and void pursuant to Section 37.3(b)(5) shall be limited to a refund of rent overpayments made during the three-year period preceding the month of filing the action, plus the period between the month of filing and the date of the Court's order. The current legislation references the word date instead of month.

3. Mr. Grubb states that the Rent Board, in order to simplify the process for calculating the amount of

individual refunds owed for rent overpayment, calculates the amount of individual refunds based on the three-year period preceding the month that a claim is filed as opposed to a specific date.

Recommendation: Approve the proposed ordinance.

Items 12 and 13 - Files 52-93-1 and 52-93-1.1

Department: Department of Public Works (DPW)

Items: The proposed ordinance (File 52-93-1) would amend Ordinance No. 367-92 to redefine Underground District No. 318 in the Dolores Heights District by adding certain property thereto.

The proposed resolution (File 52-93-1.1) would amend Resolution No. 1020-92 to redefine proposed Assessment District No. 92-2 in the Dolores Heights District by adding certain property thereto; and to designate the Deputy Director of Public Services as engineer for the formation proceedings.

Description: In December of 1992, the Board of Supervisors adopted ordinance 367-92 (File 52-92-6), thereby creating Underground District No. 318. The existing Underground District No. 318 is located in the Dolores Heights District in an area encompassing portions of Church Street, Cumberland Street, 20th Street, Liberty Street, 21st Street, Rayburn Street and Dorland Street and all of Dolores Terrace. The proposed ordinance (File 52-93-1) would add additional blocks to the existing Underground District No. 318 as follows; Liberty Street between Noe Street and Castro Street, Noe Street between Twenty-First Street and Nineteenth Street, and Nineteenth Street between Noe Street and Church Street.

In December of 1992, the Board of Supervisors also adopted Resolution No. 1020-92 (File 52-92-6.1), to undertake proceedings to form proposed Assessment District No. 92-2, consisting of the same area in the existing Underground District No. 318. The proposed resolution would add the same blocks (see above) to proposed Assessment District No. 92-2 as will be added to Underground District No. 92-2.

According to Mr. Tom Trimbur of the Department of Public Works, utility companies (Pacific Gas and Electric Company (PG&E), Viacom, and Pacific Bell) will provide funds for undergrounding their facilities, while the City is responsible for providing funds for new street lighting which will be owned, operated and maintained by the City. There has been a long standing agreement between the City and PG&E that all street lights being undergrounded in City neighborhoods would belong to the City's Bureau of Light, Heat and Power. According to Mr. Trimbur, for every $1 the City contributes to the undergrounding project, the utility companies provide approximately $9.

Mr. Trimbur advises that residents of the Dolores Heights neighborhood not included under the existing Underground District No. 318 have submitted petitions to DPW requesting inclusion in Underground District No. 318. According to Mr. Trimbur, 60% of the 144 property owners living on the subject blocks, signed petitions for inclusion in Underground District No. 318 and the proposed Assessment District 92-2.

DPW conducted a public hearing in February of this year concerning the proposed addition of the subject blocks to Underground District No. 318. According to DPW, a number of individuals spoke in favor of inclusion, while only one property owner protested on the grounds that inclusion should not go forward during "tough economic times". DPW believes that the underground district would be in the general public interest and recommends approval of the proposed ordinance (File 52-93-1) for purposes of adding the subject blocks to this district. DPW also recommends approval of the proposed resolution (File 52-93-1.1) to undertake proceedings to include the subject blocks to the proposed Assessment District No. 92-2. Under the proposed resolution, DPW's Deputy Director of Public Services would serve as engineer for the formation proceedings. As noted above, 60% of the property owners in Dolores Heights have requested inclusion in an assessment district in order to reimburse the City for the City's portion of the costs of installation of the street lighting. DPW would initially pay for such costs through funds advanced by Hetch Hetchy. Hetch Hetchy would subsequently be reimbursed by special property assessments on the residents of Dolores Heights upon completion of the project.

Mr. Trimbur reports that the Department estimates that it will cost a total of approximately $220,000 to pay for the City's portion of the costs to install street lights, as follows:

Construction Contract	$165,000	
Contingencies	16,000	
Total Construction Costs		$181,000
Project Management		9,000
Design		15,000
Construction		15,000
Total Estimated Costs		$220,000

The portion of the costs related to the utility companies are borne by those companies.

Mr. Trimbur advises that the undergrounding project, including installation of street lighting, will take approximately 1 1/2 years to complete. The construction contract for the installation of the City's street lights would be competitively bid.

Mr. Trimbur also estimates it will cost each of the 144 property owners in the Underground District portion of Dolores Heights approximately $1,000 to $1,500 to hire a private contractor to make necessary alterations to the impacted homes. In addition, Mr. Trimbur estimates that each of the impacted households will need to pay additional $1,300 to $1,500 for single dwelling residences and approximately $5,200 for multi-dwelling residences to reimburse Hetch Hetchy for the City's share of costs estimated at $220,000 for the street lighting installation. DPW notes that the residences in Dolores Heights are primarily single dwelling units.

Comments:

1. Mr. Trimbur advises that the estimated $220,000 in Hetch Hetchy funds would be advanced from a capital program entitled Hetch Hetchy's Street Light Facilities Repair and Replacement Program Fund.

2. An engineering report will be prepared which will establish, in part, the actual cost of the City's share of the costs for the installation of the street lighting in the proposed redefined underground district. Once the engineer's report is completed, the report would be submitted to the Board of Supervisors along with a proposed resolution to request authorization for the formation of Assessment District 92-2.

3. If the Board of Supervisors were to approve the proposed ordinance and resolution and it was later determined by the Board of Supervisors, DPW and the Dolores Heights residents, based on the engineering report, that the cost to proceed with the undergrounding project is prohibitively high, the Board of Supervisors, DPW and Dolores Heights residents would need to decide whether or not the project should proceed. Mr. Trimbur reports that, while it is possible that the engineering report could result in the determination that the cost to proceed with the undergrounding project is prohibitively high, DPW is confident that its current cost projection for the project is accurate, based on the Department's prior history of making cost estimates on similar projects.

4. Mr. Trimbur advises that DPW will ensure that the affected residents of the Dolores Heights District will repay Hetch Hetchy upon the conclusion of this project by providing that a lien will be placed on the properties where owners fail to pay their share of the approximately $220,000 due to Hetch Hetchy. Mr. Trimbur adds that if the actual costs are higher than the currently projected $220,000, DPW would plan to charge residents proportionately, based on the size of their respective lots.

Recommendation: Approval of the proposed legislation is a policy matter for the Board of Supervisors.

see Revised p.12-13 stapled at back

Item 14 - File 35-93-1.1

Department: Department of Public Works (DPW)
Department of Parking and Traffic (DPT)

Item: Resolution approving a map showing the opening of 26th Street between Treat Avenue and Harrison Street; declaring 26th Street to be open public street dedicated to public use; and making findings pursuant to City Planning Code Section 101.1

Description: In 1969, the Board of Supervisors authorized the closure of 26th Street between Treat Avenue and Harrison Street (Resolution No. 149-69). In 1990, the Board of Supervisors adopted Resolution No. 823-90 which rescinded the previous resolution and urged the Chief Administrative Officer (CAO) to request that the Director of Public Works review rededicating 26th Street between Harrison Street and Treat Avenue. On April 19, 1993, the Board of Supervisors adopted Resolution No. 284-93 also urging the CAO to request the Director of Public Works to review rededicating 26th Street, between Harrison Street and Treat Avenue, as a public street and submit recommendations to the Board. This item would approve a map opening 26th Street between Treat Avenue and Harrison Street to be an open public street (see attached map).

The existing closure on 26th Street between Treat Avenue and Harrison Street, involves the west half of the block, and is effected by concrete islands and removable bollards (for emergency vehicle access). The closed area of 26th Street is currently used as a basketball court. The east half of the block is accessible from Harrison Street and provides access to the Bernal Dwellings' (public housing facility with 208 units) parking area. Eastbound traffic on this half block is controlled by STOP signs. There is also a parking strip on the east half of the block. With the existing closure, 26th Street and Treat Avenue meet in an L-shaped intersection which is not controlled by STOP signs or stoplights.

The Department of Parking and Traffic (DPT) states that if 26th Street is reopened between Treat Avenue and Harrison Street, the following additional modifications will be required to enhance traffic and pedestrian safety at this intersection:

Installation of Four STOP Signs ($100 each)	$400
Crosswalk Stripping	500
Total	$900

DPT reports that the $900 required to reopen 26th Street is included in DPT's FY 1993-94 budget.

DPW's cost (in addition to the costs totalling $900 estimated by DPT above) to re-open the intersection of 26th Street and Treat Avenue would be as follows:

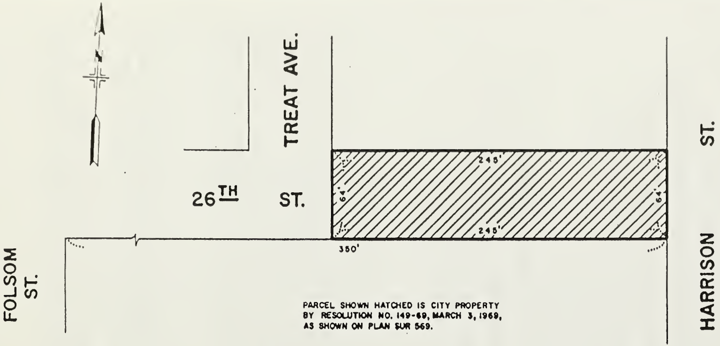
Removal of bollards and fill holes with pavement	$17,000
Installation of curbs	5,000
Extension of parking strip	10,000
Removal of basketball court and repavement	15,000
Installation of sidewalks	12,000
Total	$59,000

Mr. John Cribbs, Director of the DPW, reports that the $59,000 required to reopen 26th Street is included in DPW's FY 1993-94 budget.

Comments: 1. If 26th Street is reopened, DPW would displace the existing basketball court located on 26th Street between Harrison Street and Treat Avenue. Displacing the basketball court would require Recreation and Park Commission approval, before the project could proceed. If the proposed resolution is approved, the DPW will send this proposal to reopen 26th Street to the Recreation and Park Commission for review and approval.

2. On May 14, 1993, the Department of Planning determined that the reopening of 26th Street between Treat Avenue and Harrison Street is in conformity with the City's Master Plan and has been reviewed for consistency with the Eight Priority Policies of Planning Code Section 101.1.

Recommendation: Approval of the proposed resolution is a policy matter for the Board of Supervisors



PARCEL SHOWN HATCHED IS CITY PROPERTY BY RESOLUTION NO. 149-69, MARCH 3, 1969, AS SHOWN ON PLAN SUR 569.

MAP
SHOWING THE OPENING OF
TWENTY-SIXTH STREET
BETWEEN TREAT AVE.
AND HARRISON ST.

CITY AND COUNTY OF SAN FRANCISCO
DEPARTMENT OF PUBLIC WORKS
BUREAU OF ENGINEERING
DIVISION OF STREETS AND MAPPING

SCALE 1" = 50'		NOVEMBER 1990
SURVEYED	INDEX NO.	ORDER NO.
COMPILED	COMPUTED	CHECKED
DRAWN T.T.C.	TRACED T.T.C.	CHECKED GMW
REFERENCES		SHEET 1 OF 1 SHEETS A-17-143

APPROVED: .... CITY ENGINEER

APPROVED AS TO FORM: CITY ATTORNEY

BY .... DEPUTY CITY ATTORNEY

APPROVED THIS .... DAY OF .... 19....

BY ORDER NO. .... DIRECTOR OF PUBLIC WORKS

ATTEST: .... ASST. DIRECTOR OF PUBLIC WORKS

THIS MAP, COMPRISING ...... SHEET(S), IS APPROVED AND MADE OFFICIAL AND THE PARCEL(S) SHOWN HATCHED HEREON IS (ARE) DECLARED TO BE OPEN PUBLIC STREET(S), DEDICATED TO PUBLIC USE TO BE KNOWN BY NAME(S) AS SHOWN ON THIS MAP BY RESOLUTION NO. .... OF THE BOARD OF SUPERVISORS, ADOPTED THE .... DAY OF .... 19......

ATTEST: .... CLERK OF THE BOARD OF SUPERVISORS

Item 15 File 169-93-3

1. The proposed resolution would designate temporary downtown area selling spaces for Street Artists as certified by the Art Commission for the 1993 Christmas season, beginning on November 15, 1993 and ending on January 15, 1994.

2. The Street Artists Ordinance as adopted by the electorate through an initiative ordinance on November 4, 1975, authorizes the Board of Supervisors to designate, by resolution, areas where certified Street Artists or Craftsmen may sell arts and crafts items.

3. According to the Art Commission, the Christmas holidays are the Street Artists' busiest selling period. The Art Commission is recommending the renewal of the prior year's 59 temporary sales spaces in the downtown area. Such spaces exclude the five spaces located on the South side of Market Street, between 2nd and 1st Streets, because those spaces were recently designated as permanent spaces. This is the 12th consecutive year that the Art Commission is submitting a request for temporary sales spaces for Street Artists for the Christmas holidays. The 59 temporary sales spaces, recommended for renewal by the Art Commission, for the period November 15, 1993 to January 15, 1994, are as follows:

No. of Spaces	Location
12	South side of Market Street between 4th and 5th Streets
5	North side of Market Street between Montgomery and Kearny Streets
2	North side of Market Street between Grant and Kearny Streets
10	North side of Market Street between Battery and Sansome Streets
4	South side of Market Street between 2nd and 1st Streets
3	South side of Sutter Street, at Market Street
5	West side of Stockton Street between Post and Sutter Streets
1	East side of Stockton Street between Post and Sutter Streets
6	East side of Stockton Street between O'Farrell and Geary Streets
3	East side of Stockton Street between Market and O'Farrell Streets
1	South side of Post Street between Grant and Kearny Streets
5	North side of California Street between Sansome and Montgomery Sts.
2	South side of California Street between Sansome and Montgomery Sts.
59	Total

Comments

1. In addition to designating the above-noted locations as temporary downtown area selling spaces for Street Artists, the proposed legislation would also authorize the exemption of five of the above-cited 59 temporary spaces on the West side of Stockton Street between Post and Sutter Streets, from the provisions of Police Code Section 2405(c)(8)(1), which prohibits Street Artists from selling, offering for sale or soliciting offers to purchase on any sidewalk adjacent to a curb which has been designated as a white zone (passenger unloading zone). Additionally, under the proposed legislation, one temporary space on the East side of Stockton Street between Post and Stutter Streets would also be exempted from the provisions of Police Code Section 2405(c)(8)(1). As such, a total of six of the above-cited 59 temporary spaces would be allowed to be adjacent to white zones. The remaining 53 temporary spaces are located in areas where there are no adjacent white zones.

2. Mr. Howard Lazar of the Street Artist Program of the Art Commission advises that there are currently eight permanent Street Artist selling spaces in the Stockton Street vicinity, which are adjacent to white zones. Mr. Lazar advises that no complaints have been registered against the Street Artists located at these sites for obstructing passenger unloading. According to Mr. Lazar, the width of the sidewalk along with the fact that the Street Artist's displays are required to be positioned five feet apart, essentially allows for sufficient space for passengers to unload without being obstructed by the Street Artists' displays.

Recommendation

Approval of the proposed resolution is a policy matter for the Board of Supervisors.

Harvey M. Rose

cc: Supervisor Bierman
Supervisor Maher
Supervisor Shelley
President Alioto
Supervisor Conroy
Supervisor Hallinan
Supervisor Hsieh
Supervisor Kaufman
Supervisor Kennedy
Supervisor Leal
Supervisor Migden
Clerk of the Board
Chief Administrative Officer
Controller
Teresa Serata
Theresa Lee
Ted Lakey

Public Library, Documents Dept.
Attn: Jane Hudson

Memo to Housing and Land Use Committee
October 21, 1993 Housing and Land Use Committee Meeting

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Item 14 - File 35-93-1.1

REVISED

Department: Department of Public Works (DPW)
Department of Parking and Traffic (DPT)

Item: Resolution approving a map showing the opening of 26th Street between Treat Avenue and Harrison Street; declaring 26th Street to be open public street dedicated to public use; and making findings pursuant to City Planning Code Section 101.1

Description: In 1969, the Board of Supervisors authorized the closure of 26th Street between Treat Avenue and Harrison Street (Resolution No. 149-69). In 1990, the Board of Supervisors adopted Resolution No. 823-90 which rescinded the previous resolution and urged the Chief Administrative Officer (CAO) to request that the Director of Public Works review rededicating 26th Street between Harrison Street and Treat Avenue. On April 19, 1993, the Board of Supervisors adopted Resolution No. 284-93 also urging the CAO to request the Director of Public Works to review rededicating 26th Street, between Harrison Street and Treat Avenue, as a public street and submit recommendations to the Board. This item would approve a map opening 26th Street between Treat Avenue and Harrison Street to be an open public street (see attached map).

The existing closure on 26th Street between Treat Avenue and Harrison Street, involves the west half of the block, and is effected by concrete islands and removable bollards (for emergency vehicle access). The closed area of 26th Street is currently used as a basketball court. The east half of the block is accessible from Harrison Street and provides access to the Bernal Dwellings' (public housing facility with 208 units) parking area. Eastbound traffic on this half block is controlled by STOP signs. There is also a parking strip on the east half of the block. With the existing closure, 26th Street and Treat Avenue meet in an L-shaped intersection which is not controlled by STOP signs or stoplights.

The Department of Parking and Traffic (DPT) states that if 26th Street is reopened between Treat Avenue and Harrison Street, the following additional modifications will be required to enhance traffic and pedestrian safety at this intersection:

Installation of Four STOP Signs ($100 each)	$400
Crosswalk Stripping	500
Total	$900

DPT reports that the $900 required to reopen 26th Street is included in DPT's FY 1993-94 budget.

DPW's cost (in addition to the costs totalling $900 estimated by DPT above) to re-open the intersection of 26th Street and Treat Avenue would be as follows:

Removal of bollards and fill holes with pavement	$17,000
Installation of curbs	5,000
Extension of parking strip	10,000
Removal of basketball court and repavement	15,000
Installation of sidewalks	12,000
Total	$59,000

Mr. John Cribbs, Director of the DPW, reports that the $59,000 required to reopen 26th Street is included in DPW's FY 1993-94 budget.

Comments: 1. According to Mr. Cribbs, DPW has already begun work to reopen 26th Street between Treat Avenue and Harrison Street. Mr. Cribbs advises that Resolution No. 823-90 which rescinded the previous resolution and urged the Chief Administrative Officer (CAO) to request that the Director of Public Works review rededicating 26th Street between Harrison Street and Treat Avenue gave DPW the authority to begin work.

2. To reopen 26th Street, DPW is displacing the existing basketball court located on 26th Street between Harrison Street and Treat Avenue. Displacing the basketball court required Recreation and Park Commission approval. According to Mr. Phil Arnold of the Recreation and Park Department, the Recreation and Park Commission reviewed and approved displacing the basketball court.

3. On May 14, 1993, the Department of Planning determined that the reopening of 26th Street between Treat Avenue and Harrison Street is in conformity with the City's Master Plan and has been reviewed for consistency with the Eight Priority Policies of Planning Code Section 101.1.

Recommendation: Approval of the proposed resolution is a policy matter for the Board of Supervisors.

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CALENDAR

HOUSING & LAND USE COMMITTEE
BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

REGULAR MEETING

THURSDAY, NOVEMBER 4, 1993 - 10:00 A.M. . ROOM 228, City Hall

MEMBERS: Supervisors Sue Bierman, Bill Maher, Kevin Shelley

CLERK: Joni Blanchard

* * * * * * * * * * * * * * *

Disability Access

The Board of Supervisors Committee Meeting Room (228) and the Legislative Chamber of the Board are on the second floor of City Hall.

Both the Committee Room and the Chamber are wheelchair accessible. The closest accessible BART Station is Civic Center, 2 1/2 blocks from City Hall. Accessible MUNI line serving this location is the #42 Downtown Loop as well as the METRO stations at Van Ness and Market and at Civic Center. For more information about MUNI accessible services, call 923-6142.

There is accessible parking in the vicinity of City Hall adjacent to Davies Hall and the War Memorial Complex.

Assistive listening devices are available for use in the Meeting Room and the Board Chamber. A device can be borrowed prior to or during a meeting. Borrower identification is required and must be held by Room 235 staff.

The following services are available on request 72 hours prior to the meeting or hearing:

For American sign language interpreters or the use of a reader during a meeting, contact Violeta Mosuela at (415) 554-7704.
For a large print copy of an agenda, contact Moe Vazquez at (415) 554-4909.

Individuals with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities should call the accessibility hotline at (415) 554-8925 to discuss meeting accessibility. In order to assist the City's efforts to accomodate such people, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products. Please help the City to accomodate these individuals.

CONSENT CALENDAR

1. All matters listed hereunder constitute a Consent Calendar, are considered routine by the Committee, and will be acted upon by a single roll call vote. There will be no separate discussion of items unless a member of the Committee or the public so requests, in which event the matter shall be removed from the Consent Calendar and considered as a separate item.

   a. File 18-93-7. [Stop Intersections] Recommending establishment and revocation of stop signs at various locations; DPT Order No. 478. (Department of Parking & Traffic)

   b. File 19-93-10. [Parking Regulations] Recommending establishment and revocation of parking regulations at various locations; DPT Order No. 478. (Department of Parking & Traffic)

   c. File 20-93-11. [Traffic Regulations] Recommending establishment and revocation of traffic regulations, various streets; DPT Order No. 478. (Department of Parking & Traffic)

   d. File 40-93-7. [Parking of Vehicles] Resolution extending the boundaries of Residential Permit Parking Area "G" in the Pacific Heights area; and adding to the list of streets upon which time limitations shall apply. (Department of Parking & Traffic)

   e. File 40-93-8. [Parking of Vehicles] Resolution extending the boundaries of Residential Permit Parking Area "O" in the West Portal/St. Francis Wood area; and adding to the list of streets upon which time limitations shall apply. (Department of Parking & Traffic)

   f. File 40-93-9. [Parking of Vehicles] Resolution extending the boundaries of Residential Permit Parking Area "H" in the Lakeside; and adding to the list of streets upon which time limitations shall apply. (Department of Parking & Traffic)

   g. File 40-93-10. [Parking of Vehicles] Resolution extending the boundaries of Residential Permit Parking Area "U" in the South of Market area; and adding to the list of streets upon which time limitations shall apply. (Department of Parking & Traffic)

   ACTION:

REGULAR CALENDAR

2. File 125-93-3. [Residential Energy Conservation, Attic Space] Draft ordinance amending Housing Code by amending Section 1204 to change the definition of accessible attic space and amending Section 1209 to increase the limit of expenditure for compliance with requirements. (Supervisor Alioto)

   (Consideration continued from 10/21/93)

   ACTION:

3. File 115-93-7. [Signs] Ordinance amending City Planning Code by amending Section 305, to prohibit variances from the size or height requirements for signs. (Department of City Planning)

   (Consideration continued from 10/21/93)

   ACTION:

4. File 52-93-2. [Underground District] Ordinance creating an Underground District in the vicinity of Tenth and Harrison Streets. (Supervisor Maher)

   ACTION:

5. File 124-93-6. [Parking and Traffic] Ordinance amending Traffic Code Sections 33.3 and 38.B, and deleting Section 38.B.1 thereof, relating to curb parking regulation at Special Truck Loading and Yellow Zones. (Department of Parking & Traffic)

   ACTION:

6. File 34-93-7. [Width of Sidewalk] Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalk" by adding thereto Section 1514 changing the official widths of sidewalk from 11.04 feet to 21.0 feet on the southwesterly side of Fourth Street between Mission and Minna Streets; and making findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

   FISCAL IMPACT

   ACTION:

7. File 24-93-2. [Permit Appeal] Appealing decision of the Department of Public Works by its letter, dated May 17, 1993, approving a Minor Sidewalk Encroachment Permit Number 92MSE-007 for property located at Crestmont Drive frontage - UCSF, to remove and relocate existing wooden bulkheads/planter boxes and landscape the unimproved sidewalk area along Crestmont Drive fronting property owned by UCSF for the purpose of neighborhood beautification and erosion control. (Mary L. Bancroft)

   ACTION:

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11/4/93

Public Library, Documents Dept.
Attn: Jane Hudson

CITY AND COUNTY OF SAN FRANCISCO

BOARD OF SUPERVISORS

BUDGET ANALYST
1390 MARKET STREET, SUITE 1025
SAN FRANCISCO, CALIFORNIA 94102 • TELEPHONE (415) 554-7642

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November 2, 1993

TO: Housing and Land Use Committee

FROM: Budget Analyst

SUBJECT: November 4, 1993 Housing and Land Use Committee Meeting

Item 2 - File 125-93-3

Note: This item was continued by the Housing and Land Use Committee at its meeting of October 21, 1993.

Department: Department of Public Works (DPW)

Item: Draft ordinance to amend Section 1204 and 1209 of the City's Housing Code to change the definition of accessible attic space and to increase the limit of expenditure for compliance with the requirements of the City's Residential Energy Conservation Ordinance.

Description: Section 1204 of the City's existing Housing Code defines accessible attic space as a space between a ceiling joist and roof rafter where the vertical clear height from the top of the bottom chord of the truss, or ceiling joist, to the underside of the roof sheathing at the roof ride is 18 inches or greater. The proposed ordinance would change this definition from 18 inches or greater to 12 inches or greater, a reduction of 6 inches.

In addition, Section 1209 of the City's existing Housing Code states that no building owner will be required to spend more than one percent of the purchase price, or one percent of the assessed value of the building, whichever is greater, to comply with the requirements of the City's Residential Energy Conservation Ordinance. For buildings of two units or less, the cost shall not exceed $1,000, provided that the building owner installs the required energy conservation measures for which the total expenditures does not exceed the cost limitations. Under the proposed ordinance, the $1,000 limit for buildings of two units or less would be increased to $1,300, plus a three percent annual increase every year after January 1, 1994.

Comments:

1. Ms. Lesley Stansfield of DPW reports that the City's Residential Energy Conservation Ordinance was initiated in 1982, at which time the accessible attic space definition was 30 inches or greater. In the beginning of 1984, the definition of accessible attic space was reduced to the current 18 inches or more provision.

2. Based on a recent study conducted by the Public Utilities Commission's (PUC) Bureau of Energy Conservation, "adding insulation to low-crawl flat roofed homes with no existing ventilation will not cause a significant increase in attic moisture condensation and will not present a risk to the San Francisco's housing stock". As a result of this conclusion, the PUC's Bureau of Energy Conservation supports reducing the Residential Energy Conservation Ordinance accessible attic space definition from the current 18 inches to the proposed 12 inches or greater.

3. DPW could not provide the number of housing units that would be affected by the proposed changes. However, Ms. Stansfield notes that all buildings constructed after 1979 would be exempt from the proposed legislation because such buildings would have complied with current, more stringent State requirements. Furthermore, Ms. Stansfield notes that the proposed ordinance cannot be retroactively imposed on buildings that were exempted in the past from the City's Residential Energy Conservation Ordinance. According to Ms. Stansfield, if the proposed legislation is approved, DPW would need to redo various forms, manuals and memos to reflect the new changes, the cost of which should not be substantial. However, DPW should not incur any significant additional costs to implement the proposed legislation.

4. Regarding the cost limitations to comply with the City's Residential Energy Conservation Ordinance, the proposed change to increase the $1,000 limit for buildings of two units or less to $1,300, plus a three percent annual increase every year after January 1, 1994 is intended to reflect the inflationary increases associated with the costs of the required energy conservation measures. According to Ms.

Stansfield, this provision was initiated by private insulation contractors to accommodate cost of living increases.

5. The proposed draft ordinance has been approved as to form by the City Attorney's Office.

6. An Amendment of the Whole endorsing the proposed changes to the City's Housing Code and making findings consistent with State law, is required by the California Health and Safety Code. Mr. Ted Lakey of the City Attorney's Office reports that a resolution has been prepared making the required findings and if the Board of Supervisors approves the proposed ordinance, the Board would prepare in and report out that resolution.

Recommendation: Approval of the proposed ordinance is a policy matter for the Board of Supervisors.

Item 5 File 124-93-6

Department: Department of Parking and Traffic (DPT)

Item: Ordinance amending Part II, Chapter XI of the San Francisco Municipal Code (Traffic Code) by amending Sections 33.3 and 38.B, and deleting Section 38.B.1, relating to curb parking regulations at special truck loading zones (yellow zones) and other yellow zones.

Description: The proposed ordinance would amend Part II, Chapter XI of the Traffic Code as follows:

1. Section 33.3, which outlines the rules and regulations pertaining to special truck loading zones, would be amended to provide that the provisions of this Section shall apply to all yellow zones in the City. Currently, these provisions apply only to the yellow zones located in the Metropolitan Traffic District (the downtown area).
2. Section 38.B, which outlines the curb parking regulations for yellow zones within the Metropolitan Traffic District, would be amended to provide that no person shall stop, except for the purpose of loading or unloading passengers or freight, in a yellow zone in the City between 7:00 a.m. and 6:00 a.m.. Currently, this provision applies only to yellow zones within the Metropolitan Traffic District.
3. Section 38B.1, which outlines curb parking regulations in yellow zones outside of the Metropolitan Traffic District, would be deleted. Section 38B.1 currently provides that no person shall stop, except for the purposes of loading or unloading passengers or freight in a yellow zone outside of the Metropolitan Traffic District between the hours of 8:00 a.m. and 6:00 p.m. or in a yellow zone where a longer period has been designated, in excess of a period of three minutes for passenger vehicles or 30 minutes for commercial vehicles. Passenger vehicles shall not stop in yellow zones under any circumstances between the hours specified or as extended, except while the driver is in attendance. Deletion of this Section would result in there being no distinction between yellow zone regulations inside or outside of the Metropolitan Traffic District.

Comments: 1. The DPT advises that the purpose of the proposed ordinance is to allow the Department to install parking meters and to tow violators out of yellow zones and special truck loading zones throughout the City as opposed to being limited to such violations only in the downtown Metropolitan Traffic District area.

2. The DPT believes that the proposed ordinance will significantly enhance the Department's ability to reduce double-parking and traffic congestion in the outlying areas of the City caused by delivery trucks which double-park when they are unable to park at the curb.

3. Mr. Jerry Robbins of the DPT advises that the Department does not have any specific plans at this time to install additional meters at yellow zone sites. Therefore, the DPT is unable to provide, at this time, any estimate of the cost to install such meters or the amount of revenue which might be generated from such meters.

Recommendation: Approval of the proposed ordinance is a policy matter for the Board of Supervisors.

Item 6 - File 34-93-7

Department: Department of Public Works (DPW)
Department of Parking and Traffic (DPT)
Department of City Planning

Item: Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalk" by adding Section 1514 changing the official widths of sidewalk from 11.04 feet to 21.0 feet on the southwesterly side of Fourth Street between Mission and Minna Streets; and making findings pursuant to City Planning Code Section 101.1.

Description: The proposed ordinance would change the official sidewalk width on the southwesterly side of Fourth Street between Mission and Minna Streets to 21.0 feet, an increase of 9.96 feet or 90 percent wider than the current 11.04 feet.

According to the proposed ordinance, the Department of City Planning has declared that the above-described change of official sidewalk width is consistent with the Eight Priority Policies of City Planning Code Section 101.1.

Comments: 1. According to Mr. Kevin Hagerty of DPT, the proposed ordinance would authorize Cahill Contractors Inc. to legally widen the sidewalk 9.96 feet, from 11.04 feet to 21.0 feet at the southwesterly side of Fourth Street between Mission and Minna Streets, as part of the City-owned Fifth and Mission Parking Garage expansion and seismic retrofitting project. The widening of the sidewalk was a requirement mandated by the Department of City Planning as part of their approval of the entire expansion and seismic retrofitting project, according to Mr. Hagerty. The expansion of the Fifth and Mission Garage will include the addition of two floors of parking. This will result in an increase of approximately 840 parking spaces, increasing the existing total of 1,774 parking spaces to a total of 2,614.

2. The City-owned Fifth and Mission Garage is leased to the Downtown Parking Corporation which is a non-profit corporation formed for the purpose of financing the garage's construction. Mr. Hagerty advises that the widening of the sidewalk, which is estimated to cost $57,220, will be funded through Downtown Parking Corporation Revenue Bonds which have been issued for the garage expansion and seismic retrofitting project.

3. Mr. Hagerty also advises that because of delays with the permit process at the DPW, legislation actually authorizing the width of the sidewalk to be changed from 11.04 feet to 21.0 feet has not been submitted before the Board of Supervisors until now.

Recommendation: Approve the proposed ordinance.

Harvey M. Rose

cc: Supervisor Bierman
Supervisor Maher
Supervisor Shelley
President Alioto
Supervisor Conroy
Supervisor Hallinan
Supervisor Hsieh
Supervisor Kaufman
Supervisor Kennedy
Supervisor Leal
Supervisor Migden
Clerk of the Board
Chief Administrative Officer
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Teresa Serata
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HOUSING & LAND USE COMMITTEE
BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

REGULAR MEETING

THURSDAY, NOVEMBER 18, 1993–10:00 AM ROOM 228, City Hall

MEMBERS: Supervisors Sue Bierman, Bill Maher, Kevin Shelley

CLERK: Joni Blanchard

* * *

Disability Access

The Board of Supervisors Committee Meeting Room (228) and the Legislative Chamber of the Board are on the second floor of City Hall.

Both the Committee Room and the Chamber are wheelchair accessible. The closest accessible BART Station is Civic Center, 2 1/2 blocks from City Hall. Accessible MUNI line serving this location is the #42 Downtown Loop as well as the METRO stations at Van Ness and Market and at Civic Center. For more information about MUNI accessible services, call 923-6142.

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For a large print copy of an agenda, contact Moe Vazquez at (415) 554-4909.

Individuals with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities should call the accessibility hotline at (415) 554-8925 to discuss meeting accessibility. In order to assist the City's efforts to accomodate such people, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products. Please help the City to accomodate these individuals.

1. File 125-93-3. [Residential Energy Conservation, Attic Space] Draft ordinance amending Housing Code by amending Section 1204 to change the definition of accessible attic space and amending Section 1209 to increase the limit of expenditure for compliance with requirements. (Supervisor Alioto)

   (Consideration continued from 11/4/93)

   ACTION:

2. File 90-93-5. [Landmark] Designating the Howard/26th Street Cottages as a landmark pursuant to Article 10 of the City Planning Code. (Department of City Planning)

   ACTION:

3. File 90-93-6. [Landmark] Designating the Ellinwood Residence at 2799 Pacific Avenue and 2498 Divisadero Street as a landmark pursuant to Article 10 of the City Planning Code. (Department of City Planning)

   ACTION:

4. File 126-93-2. [Condominium Conversion Limitation] Ordinance amending Part II, Chapter XIII of the San Francisco Municipal Code (Subdivision Code) by amending Section 1396 thereof, to extend for four years the limitations on condominium conversions to 200 units per year in buildings of six or fewer units as selected by lottery. (Supervisor Migden)

   ACTION:

ousing & Land Use Committee
.F. Board of Supervisors
ity Hall, Room 235
an Francisco, CA 94102

MPORTANT HEARING NOTICE!

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Attn: Jane Hudson

CITY AND COUNTY OF SAN FRANCISCO

BOARD OF SUPERVISORS

BUDGET ANALYST
1390 MARKET STREET, SUITE 1025
SAN FRANCISCO, CALIFORNIA 94102 • TELEPHONE (415) 554-7642

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November 16, 1993

TO: Housing and Land Use Committee

FROM: Budget Analyst

SUBJECT: November 18, 1993 Housing and Land Use Committee Meeting

Item 1 - File 125-93-3

Note: This item was continued by the Housing and Land Use Committee at its meeting of November 4, 1993.

Department: Department of Public Works (DPW)

Item: Draft ordinance to amend Section 1204 and 1209 of the City's Housing Code to change the definition of accessible attic space and to increase the limit of expenditure for compliance with the requirements of the City's Residential Energy Conservation Ordinance.

Description: Section 1204 of the City's existing Housing Code defines accessible attic space as a space between a ceiling joist and roof rafter where the vertical clear height from the top of the bottom chord of the truss, or ceiling joist, to the underside of the roof sheathing at the roof ride is 18 inches or greater. The proposed ordinance would change this definition from 18 inches or greater to 12 inches or greater, a reduction of 6 inches.

In addition, Section 1209 of the City's existing Housing Code states that no building owner will be required to spend more than one percent of the purchase price, or one percent of the assessed value of the building, whichever is greater, to comply with the requirements of the City's Residential Energy Conservation Ordinance. For buildings of two units or less, the cost shall not exceed $1,000, provided that the building owner installs the required energy conservation measures for which the total expenditures does not exceed the cost limitations. Under the proposed ordinance, the $1,000 limit for buildings of two units or less would be increased to $1,300, plus a three percent annual increase every year after January 1, 1994.

Comments:

1. Ms. Lesley Stansfield of DPW reports that the City's Residential Energy Conservation Ordinance was initiated in 1982, at which time the accessible attic space definition was 30 inches or greater. In the beginning of 1984, the definition of accessible attic space was reduced to the current 18 inches or more provision.

2. Based on a recent study conducted by the Public Utilities Commission's (PUC) Bureau of Energy Conservation, "adding insulation to low-crawl flat roofed homes with no existing ventilation will not cause a significant increase in attic moisture condensation and will not present a risk to the San Francisco's housing stock". As a result of this conclusion, the PUC's Bureau of Energy Conservation supports reducing the Residential Energy Conservation Ordinance accessible attic space definition from the current 18 inches to the proposed 12 inches or greater.

3. DPW could not provide the number of housing units that would be affected by the proposed changes. However, Ms. Stansfield notes that all buildings constructed after 1979 would be exempt from the proposed legislation because such buildings would have complied with current, more stringent State requirements. Furthermore, Ms. Stansfield notes that the proposed ordinance cannot be retroactively imposed on buildings that were exempted in the past from the City's Residential Energy Conservation Ordinance. According to Ms. Stansfield, if the proposed legislation is approved, DPW would need to redo various forms, manuals and memos to reflect the new changes, the cost of which should not be substantial. However, DPW should not incur any significant additional costs to implement the proposed legislation.

4. Regarding the cost limitations to comply with the City's Residential Energy Conservation Ordinance, the proposed change to increase the $1,000 limit for buildings of two units or less to $1,300, plus a three percent annual increase every year after January 1, 1994 is intended to reflect the inflationary increases associated with the costs of the required energy conservation measures. According to Ms.

Stansfield, this provision was initiated by private insulation contractors to accommodate cost of living increases.

5. The proposed draft ordinance has been approved as to form by the City Attorney's Office.

6. An Amendment of the Whole endorsing the proposed changes to the City's Housing Code and making findings consistent with State law, is required by the California Health and Safety Code. Mr. Ted Lakey of the City Attorney's Office reports that a resolution has been prepared making the required findings and if the Board of Supervisors approves the proposed ordinance, the Board would prepare in and report out that resolution.

Recommendation: Approval of the proposed ordinance is a policy matter for the Board of Supervisors.

Item 4 File 126-93-2

1. The proposed ordinance would amend Part II, Chapter XIII of the San Francisco Municipal Code (Subdivision Code) by amending Section 1396, to extend for four years the limitations on condominium conversions to 200 units per year in buildings of six or fewer units as selected by lottery.

2. Section 1396 of the Municipal Code currently stipulates that applications for conversion of residential units to condominiums shall not be accepted by the Department of Public Works (DPW) during the period January 1, 1990 to December 31, 1993, with the exception that a maximum of 200 units annually, as selected by lottery by the DPW from all eligible applicants, may be approved for conversion. The proposed ordinance would amend Section 1396 to extend the expiration date of this provision from December 31, 1993 to December 31, 1997 (four years).

3. Mr. Andrew Schwartz of the City Attorney's Office advises that the City first enacted legislation limiting condominium conversions in 1979. In 1982 the legislation was amended to allow for the lottery noted above. Since 1982, according to Mr. Schwartz, the provisions of this legislation have been extended three separate times. The first extension was for three years and the next two extensions were for four years each.

4. Ms. Denise Brady of the DPW advises that the extension of the condominium conversion limitations will have no additional fiscal impact on the DPW.

Recommendation

Approval of the proposed ordinance is a policy matter for the Board of Supervisors.

Harvey M. Rose

cc: Supervisor Migden
Supervisor Hsieh
President Alioto
Supervisor Bierman
Supervisor Conroy
Supervisor Hallinan
Supervisor Kaufman
Supervisor Kennedy
Supervisor Leal
Supervisor Maher
Supervisor Shelley
Clerk of the Board
Chief Administrative Officer
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Ted Lakey

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HOUSING & LAND USE COMMITTEE
BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

REGULAR MEETING

THURSDAY, DECEMBER 2, 1993–10:00 AM ROOM 228, City Hall

MEMBERS: Supervisors Sue Bierman, Bill Maher, Kevin Shelley

CLERK: Joni Blanchard

* * *

Disability Access

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1. File 126-93-2. [Condominium Conversion Limitation Extended] Ordinance amending Subdivision Code by amending Section 1396 to extend for four years the limitations on condominium conversions to 200 units per year in buildings of six or fewer units as selected by lottery. (Supervisor Migden)

   (Consideration continued from 11/18/93)

   ACTION:

2. File 90-93-7. [Landmark of Historic Churches] Hearing to consider legislation landmarking San Francisco historic churches, specifically, Sacred Heart, All Hallows, St. Paul, Immaculate Conception and St. Brigid. (Supervisor Alioto)

   ACTION:

3. File 85-93-2. [Central Freeway Areawide Traffic Study] Resolution requesting that the Mayor urge Caltrans to await the completion of the Department of Parking and Traffic's Central Freeway Areawide Traffic Study with specific guidance from the Department of Planning's revised Civic Center Master Plan before beginning the process for retrofit of the Central Freeway and urging the Mayor to report to the Board of Supervisors within 30 days a work plan and time-table to adequately undertake the study of alternatives and findings and to report on the progress of the studies in accordance with Board Resolution 541-92. (Supervisors Hallinan, Bierman)

   ACTION:

4. File 161-93-10.1. [Williams Building] Resolution urging the Redevelopment Agency to explore all possible uses to ensure the preservation and retention of the Williams Building; accept FEMA money to seismically upgrade the building and to demonstrate good faith to the 1984 agreement (See File 161-93-10). (Supervisors Maher, Bierman)

   ACTION:

5. File 19-93-11. [Communication] Recommending establishment of One-Hour Parking Time Limit (7 a.m. - 6 p.m., everyday), Everglade Drive, both sides, between Sloat Boulevard and Ocean Avenue; DPT Order No. 515. (Department of Parking and Traffic)

   ACTION:

6. File 124-93-8. [Everglade Dr, Prohibit Vehicles in Excess 6000 Lbs] Ordinance amending the Traffic Code by adding Section 28.1.94 thereto, prohibiting operation of vehicles in excess of 6000 pounds upon a portion of Everglade Drive; DPT Order No. 513 (Department of Parking and Traffic)

   ACTION:

7. File 124-93-7. [Trucks in Excess of 6000 Pounds Chattanooga Street] Ordinance amending the Traffic Code by adding Section 28.5.45 thereto, prohibiting operation of trucks in excess of 6000 pounds upon a portion of Chattanooga Street. DPT Order No. 496 (Department of Parking and Traffic)

   ACTION:

Public Library, Documents Dept.
Attn: Jane Hudson

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CITY AND COUNTY OF SAN FRANCISCO

BOARD OF SUPERVISORS

BUDGET ANALYST
1390 MARKET STREET, SUITE 1025
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November 30, 1993

TO: Housing and Land Use Committee

FROM: Budget Analyst

SUBJECT: December 2, 1993 Housing and Land Use Committee Meeting

Item 1 File 126-93-2

Note: This item was continued by the Housing and Land Use Committee at its meeting of November 18, 1993.

1. The proposed ordinance would amend Part II, Chapter XIII of the San Francisco Municipal Code (Subdivision Code) by amending Section 1396, to extend for four years the limitations on condominium conversions to 200 units per year in buildings of six or fewer units as selected by lottery.

2. Section 1396 of the Municipal Code currently stipulates that applications for conversion of residential units to condominiums shall not be accepted by the Department of Public Works (DPW) during the period January 1, 1990 to December 31, 1993, with the exception that a maximum of 200 units annually, as selected by lottery by the DPW from all eligible applicants, may be approved for conversion. The proposed ordinance would amend Section 1396 to extend the expiration date of this provision from December 31, 1993 to December 31, 1997 (four years).

3. Mr. Andrew Schwartz of the City Attorney's Office advises that the City first enacted legislation limiting condominium conversions in 1979. In 1982 the legislation was amended to allow for the lottery noted above. Since 1982, according to Mr. Schwartz, the provisions of this legislation have been extended three separate times. The first extension was for three years and the next two extensions were for four years each.

4. Ms. Denise Brady of the DPW advises that the extension of the condominium conversion limitations will have no additional fiscal impact on the DPW.

Recommendation

Approval of the proposed ordinance is a policy matter for the Board of Supervisors.

Item 3 - File 85-93-2

1. The proposed resolution would urge the Mayor to urge Caltrans to await the completion of the Department of Parking and Traffic Central Freeway Areawide Traffic Study, with specific guidance from the Planning Department's revised Civic Center Master Plan, before starting the process for retrofit of the Central Freeway. The proposed resolution would also urge the Mayor to report to the Board of Supervisors within thirty days, a work plan and time-table to adequately undertake the study of alternatives and findings and to report on the progress of the studies in accordance with Board Resolution 541-92 (File 171-92-3).

2. The Caltrans project would retrofit the length of the Central Freeway, which extends from 16th Street for approximately two miles, to the Fell Street off-ramp. The retrofit would provide permanent reinforcement to the Central Freeway, to bring the structure into compliance with current seismic standards. Caltrans Senior Engineer Mr. James Regan states that the project is expected to cost approximately $45 million. Mr. Regan reports that the sources of funding for the project are Federal Emergency Relief funds and the National Highway Fund.

3. Board Resolution 541-92 requested Caltrans to undertake a feasibility study of interchange improvements in the US101/South Van Ness Corridor area. Caltrans has provided $150,000, and the Bay Area Air Quality Management District has provided $50,000, for a total of $200,000 to finance a Central Freeway Areawide Traffic Study. The study, which will be carried out by consultants under the direction of the San Francisco Department of Parking and Traffic (DPT), began in November of 1993 and is expected to be completed by July of 1994. Mr. Jerry Robbins of the DPT reports that the study parameters include an analysis of freeway ramp capacities, intersection levels of service, signalization, and a survey of the origins and destinations of Central Freeway users. The consultants have been asked to develop and evaluate alternatives to the existing circulation pattern in the Central Freeway area.

4. Ms. Susana Montana of the Planning Department states that a delay of approximately one year in retrofitting of the Central Freeway could enable the City to develop a better design to improve traffic circulation, making more use of the property in the South Van Ness Blvd. area. Ms. Montana reports that the Planning Department expects to publish draft revisions to the Civic Center element of the Master Plan in late January, 1994 after which a six-month citizen and environmental review period will commence. She states that the Planning Department hopes to have the final revisions adopted by late 1994.

Ms. Montana advises that the Civic Center Master Plan revisions will include recommendations to develop approximately 3,000 new dwelling units in the area surrounding South Van Ness Blvd. However Ms. Montana reports that the traffic constraints caused by the intersection of Division Street, South Van Ness Blvd. and Howard Street present a major impediment to such housing development. She states that the Planning Department is looking to the pending DPT Central Freeway Areawide Traffic Study to provide proposals for improving traffic flow that could be incorporated into the Master Plan revision.

6. Mr. Regan advises that, because Federal Emergency Relief and National Highway Funds have already been committed for the Central Freeway retrofit project, he does not believe that a delay in the bidding process for the project would jeopardize its funding.

Comments:

The proposed resolution states that Caltrans is planning to begin the bidding process for retrofit of the existing Central Freeway in December, 1993 and start construction in July, 1994. However Mr. Regan states that Caltrans has recently revised the project schedule. Caltrans now plans to start the bidding process for the project in April of 1994 and begin construction during the summer of 1994.

Recommendations:

Approval of the proposed resolution to request the Mayor to urge Caltrans to await completion of the Department of Parking and Traffic's Central Freeway Areawide Traffic Study, with guidance from the Planning Department's revised Civic Center Master Plan, before starting the process for retrofit of the Central Freeway, and urging the Mayor to report to the Board of Supervisors within thirty days with a work plan and time-table to adequately undertake the study of alternatives and findings and to report on the progress of the studies in accordance with Board Resolution 541-92, is a policy matter for the Board of Supervisors.

Item 4 - File 161-93-10.1

1. The proposed resolution would urge the San Francisco Redevelopment Agency (SFRA) to (a) explore all possible uses to ensure the preservation and retention of the Williams Building, (b) accept Federal Emergency Management Act (FEMA) monies to upgrade the building seismically and (c) demonstrate good faith to comply with the 1984 agreement (Memorandum of Agreement).

2. The 1984 Memorandum of Agreement (MOA), between the City, the State Historical Preservation Office (SHPO) and the Advisory Council on Historic Preservation, delineated the circumstances and procedures under which the Williams Building, located at 693 Mission Street in the Yerba Buena Center Redevelopment Project Area, would be retained, rehabilitated or substantially altered as part of a new development proposal. This MOA anticipated that retention of the Williams Building, if economically feasible, would be undertaken and paid for by the developer of the entire Williams Building site. The Williams Building is presently owned by the SFRA.

3. On October 17, 1989, the Loma Prieta Earthquake caused significant structural damage to the Williams Building. The Bureau of Building Inspection (BBI) of the Department of Public Works "red-tagged"[1] the building, ordered that its tenants vacate the building, and that the building be boarded up.

3. Since the earthquake in 1989, the SFRA, in conjunction with the City, has sought FEMA funds for the repair of the Williams Building.

4. On August 17, 1993, the BBI ordered the SFRA to abate what it viewed as an unsafe condition at the Williams Building because of continued deterioration of the structure and its inherent hazard to the general public in case of another earthquake. The BBI order required that the SFRA must either file a permit to repair the building to earthquake proof standards or demolish the building.

5. Since the receipt of that BBI letter, the SFRA has pursued both the objectives to (1) preserve the building by renewing its efforts to gain FEMA monies to repair the building and (2) demolish the building with other SFRA funds in compliance with the BBI order.[2]

6. On October 27, 1993, the BBI issued a permit to the SFRA to demolish the Williams Building.

7. Meanwhile, FEMA has committed up to approximately $6.9 million directly to the SFRA which can be used for the repair and permanent retention of the Williams Building.

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[1] The term "red-tagged" was developed by the Governor's Office of Emergency Services and refers to structures that are considered unsafe or extremely hazardous, structures which may collapse without warning and structures that are unsafe for occupancy.

[2] FEMA monies are not eligible for the demolition of the Williams Building.

8. The permit, which was issued to demolish the Williams Building, has been appealed to the Board of Permit Appeals by the Foundation for San Francisco Architectural Heritage on the basis that (1) the Williams Building is of historic significance, (2) the SFRA has received $6.9 million from FEMA to repair and retain the Williams Building and (3) the SFRA has not demonstrated the economic feasibility that would require the current building to be substantially changed under the current provisions of the approved Yerba Buena Center Redevelopment Plan.

Comments:

1. Mr. Ed Helfeld of the SFRA reports that it is the SFRA's current position to negotiate an alternate plan with FEMA for the committed FEMA monies: The alternative plan would:

(a) stabilize the Williams Building at an estimated cost of $1.5 million so it will stand safely until a private developer develops the entire site per the land use provisions of the Yerba Buena Center Redevelopment Project; and

(b) permit the SFRA to submit an alternate project application to FEMA applying for the balance of approximately $4.7 million in FEMA monies for the purpose of paying a portion of the costs of the stabilization and repair of the Jessie Street Substation and the surrounding plaza.[3]

2. Mr. Helfeld advises that $1.5 million in FEMA monies would enable the SFRA to return the condition of the Williams Building site to its immediate pre-earthquake situation, with a future developer to bear the costs of retaining all or a portion of the Williams Building and, in addition, enable the use of the remaining $4.7 million in FEMA monies to ensure a beginning effort to preserve the Jessie Street Substation.

3. FEMA has stated its willingness to consider an alternate use of its of its funds to build or repair another publicly owned facility such as the Jessie Street Substation and its surrounding plaza. However, the original commitment of approximately $6.9 million would be reduced 10 percent to approximately $6.2 million under the alternate use proposal.

4. The Jessie Street Substation was to have been renovated as part of the 1984 Yerba Buena Gardens development agreement with the developer, Olympia and York, which was terminated in 1993 because of that developer's financial default. Because the SFRA is currently seeking alternate developers to replace Olympia and York, work on the preservation of the Jessie Street Substation cannot be scheduled.

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[3] The Jessie Street Substation is located in the interior of Central Block 1 bounded by Third, Mission, Fourth and Market Streets.

5. Because of the continuing deteriorating condition of the Jessie Street Substation, Mr. Helfeld has advised that the SFRA supports the alternative plan for $4.7 million of the FEMA monies that would result in funding the initial costs to rehabilitate the Jessie Street Substation. The total estimated rehabilitation costs for the Jessie Street Substation are $10.8 million based on a previous estimate by Olympia and York. The developer who eventually replaces Olympia and York would be responsible to complete the rehabilitation work on the Jessie Street Substation.

6. Mr. Richard Kono of the SFRA advises that the current 9-story Williams Building contains about 42,000 square feet of office space covering approximately 14 percent of the existing land area of 32,960 square feet (.76 acres). A proposed development by a private developer that would incorporate a portion of the existing Williams Building on the 32,960 square foot parcel would allow up to 500,000 square feet, or nearly 12 times the existing square footage of the existing Williams Building, for various uses including office space, retail commercial, residential and up to 600 hotel rooms.

7. Ms. Helen Sause of the SFRA advises that the $1.5 million expenditure of FEMA monies to stabilize the Williams Building to its immediate pre-earthquake conditions does represent a good faith effort on the part of the SFRA to comply with the 1984 Memorandum of Agreement between the City, the State Historical Preservation Office (SHPO) and the Advisory Council on Historic Preservation.

Recommendation:

The proposed resolution is a policy decision for the Board of Supervisors.

Harvey M. Rose

cc: Supervisor Bierman
Supervisor Maher
Supervisor Shelley
President Alioto
Supervisor Conroy
Supervisor Hallinan
Supervisor Hsieh
Supervisor Kaufman
Supervisor Kennedy
Supervisor Leal
Supervisor Migden
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Memo to Housing and Land Use Committee
December 2, 1993 Meeting of Housing and Land Use Committee

Public Library, Documents Dept.
ATTN: Jane Judson

REVISED

Item 3 - File 85-93-2

1. The proposed resolution would urge the Mayor to urge Caltrans to await the completion of the Department of Parking and Traffic Central Freeway Areawide Traffic Study, with specific guidance from the Planning Department's revised Civic Center Master Plan, before starting the process for retrofit of the Central Freeway. The proposed resolution would also urge the Mayor to report to the Board of Supervisors within thirty days, a work plan and time-table to adequately undertake the study of alternatives and findings and to report on the progress of the studies in accordance with Board Resolution 541-92 (File 171-92-3).

2. The Caltrans project would retrofit the Central Freeway from Mission Street for six-tenths of a mile, to the Fell Street off-ramp. The retrofit would provide permanent reinforcement to the Central Freeway, to bring the structure into compliance with current seismic standards. Caltrans Senior Engineer Mr. James Regan states that the project is expected to cost approximately $45 million. Mr. Regan reports that the sources of funding for the project are Federal Emergency Relief funds and the National Highway System Fund.

3. Board Resolution 541-92 requested Caltrans to undertake a feasibility study of interchange improvements in the US101/South Van Ness Corridor area. Caltrans has provided $150,000, and the Bay Area Air Quality Management District has provided $50,000, for a total of $200,000 to finance a Central Freeway Areawide Traffic Study. The study, which will be carried out by consultants under the direction of the San Francisco Department of Parking and Traffic (DPT), began in November of 1993 and is expected to be completed by July of 1994. Mr. Jerry Robbins of the DPT reports that the study parameters include an analysis of freeway ramp capacities, intersection levels of service, signalization, and a survey of the origins and destinations of Central Freeway users. The consultants have been asked to develop and evaluate alternatives to the existing circulation pattern in the Central Freeway area.

4. Ms. Susana Montana of the Planning Department states that a delay of approximately one year in retrofitting of the Central Freeway could enable the City to develop a better design to improve traffic circulation, making more use of the property in the South Van Ness Blvd. area. Ms. Montana reports that the Planning Department expects to publish draft revisions to the Civic Center element of the Master Plan in late January, 1994 after which a six-month citizen and environmental review period will commence. She states that the Planning Department hopes to have the final revisions adopted by late 1994.

Ms. Montana advises that the Civic Center Master Plan revisions will include recommendations to develop approximately 3,000 new dwelling units in the area surrounding South Van Ness Blvd. However Ms. Montana reports that the traffic constraints caused by the intersection of Division Street, South Van Ness Blvd. and Howard Street present a major impediment to such housing development. She states that the Planning Department is looking to the pending DPT Central

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Freeway Areawide Traffic Study to provide proposals for improving traffic flow that could be incorporated into the Master Plan revision.

6. Mr. Regan advises that, because Federal Emergency Relief and National Highway System Funds have already been committed for the Central Freeway retrofit project, he does not believe that a two or three-month delay in the bidding process for the project would jeopardize its funding. However Mr. Regan cautions that a delay of one year could jeopardize funding, because of a shortage of Federal Emergency Relief Funds.

Comments:

The proposed resolution states that Caltrans is planning to begin the bidding process for retrofit of the existing Central Freeway in December, 1993 and start construction in July, 1994. However Mr. Regan states that Caltrans has recently revised the project schedule. Caltrans now plans to start the bidding process for the project in April of 1994 and award the contract during the summer of 1994.

Recommendations:

Approval of the proposed resolution to request the Mayor to urge Caltrans to await completion of the Department of Parking and Traffic's Central Freeway Areawide Traffic Study, with guidance from the Planning Department's revised Civic Center Master Plan, before starting the process for retrofit of the Central Freeway, and urging the Mayor to report to the Board of Supervisors within thirty days with a work plan and time-table to adequately undertake the study of alternatives and findings and to report on the progress of the studies in accordance with Board Resolution 541-92, is a policy matter for the Board of Supervisors.